



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

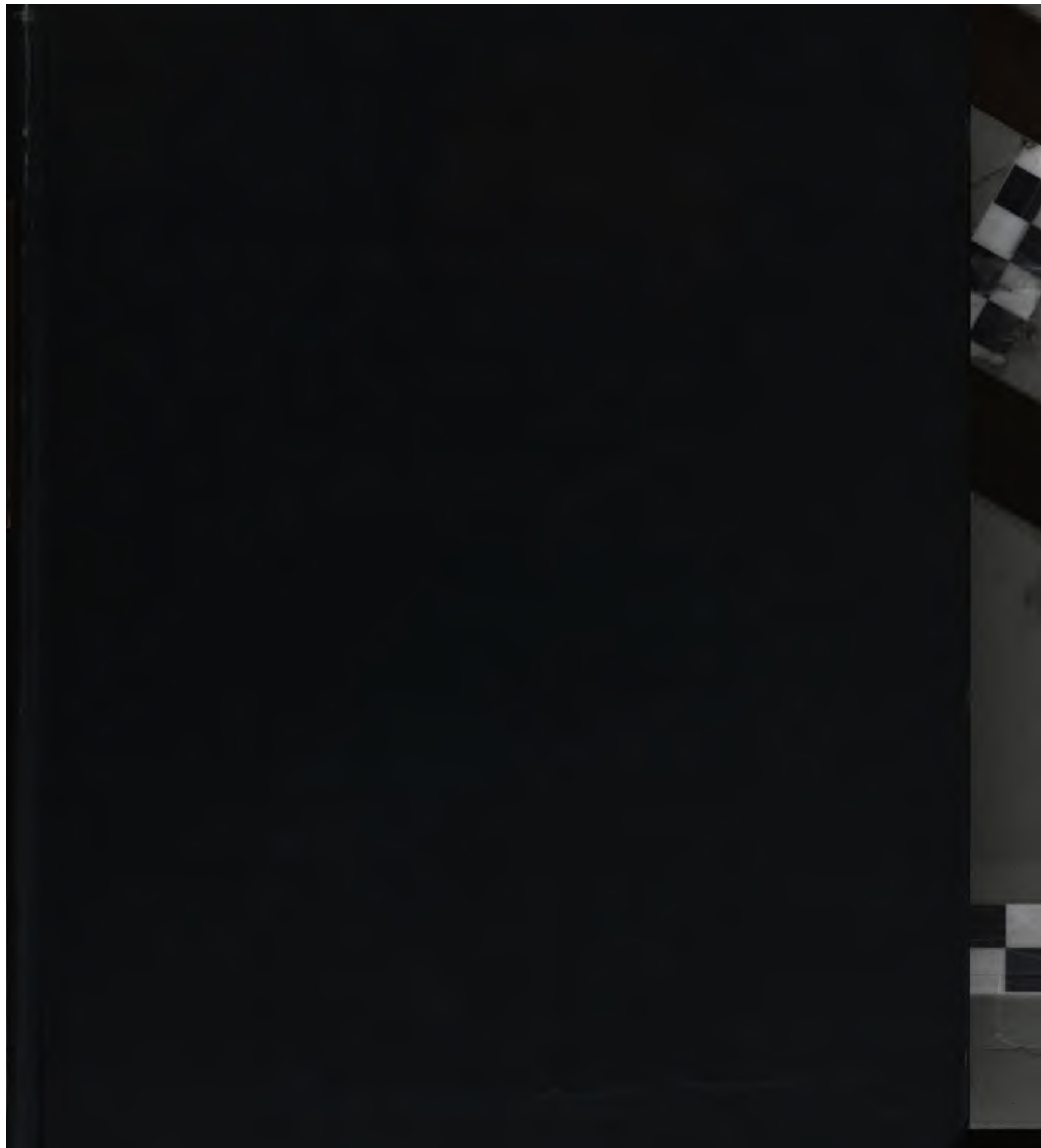
Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>



500. c



Presented to
Lincoln's Inn Library
by

The Marquess of Lothian.
Sept. 1875.



Horace and Edith King Davis
Memorial Fund

500. c

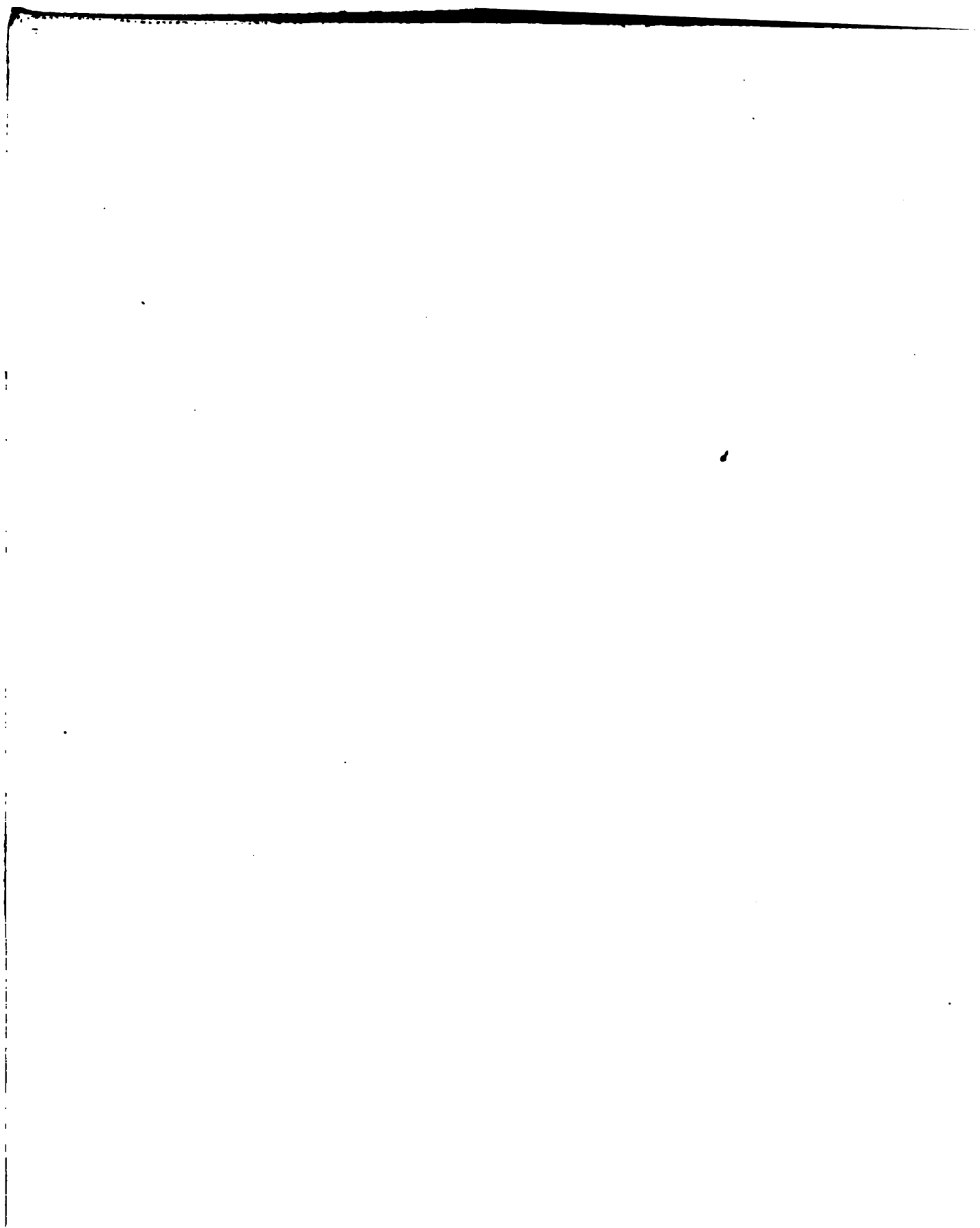


Presented to
Lincoln's Inn Library
by

The Marquess of Lothian.
Sept. 1875.



Horace and Edith King Davis
Memorial Fund



CORRESPONDENCE

OF

Sir Robert Kerr, First Earl of Ancram

AND HIS SON

William, Third Earl of Lothian



CORRESPONDENCE

OF

Sir Robert Kerr, First Earl of Ancram

AND HIS SON

William, Third Earl of Lothian



IN TWO VOLUMES

VOL. I.—1616-1649

EDINBURGH: MDCCCLXXV

DA378

A5

1875

v.1

TO
THE SURVIVING MEMBERS
OF
The Bannatyne Club,
THESE VOLUMES,
CONTAINING THE CORRESPONDENCE
OF THE EARLS OF ANCRAM AND LOTHIAN,
PRINTED FROM THE ORIGINAL LETTERS AT
Newbattle Abbey,
ARE PRESENTED BY THEIR OBEDIENT SERVANT,

A handwritten signature in cursive script, likely reading 'John Lauder', is positioned to the right of the main text block.

May 1875.



CONTENTS.

VOL. I.

	PAGE
PREFACE	I
MEMOIR OF ROBERT, EARL OF ANCARAM	v
MEMOIR OF WILLIAM, EARL OF LoTHIAN	xlv
GENEALOGICAL TABLES	cxiii
CLAIM OF ROBERT, LORD KERR OF NEWBATTLE, TO THE EARLDOM OF ROXBURGHE, 1658	cxix
ROBERT LEIGHTON AND THE PARISH CHURCH OF NEWBATTLE	cxxii
JAMES KERR, KEEPER OF THE RECORDS	cxvii
ADDITIONS AND CORRECTIONS	cxix
CORRESPONDENCE, 1616-1649	1-248

VOL. II.

CORRESPONDENCE, 1649-1667	249-480
ADDITIONAL LETTERS—	
Ancram Letters, 1625-1642	481
Lothian Letters, 1631-1667	488*
APPENDIX—	
No. I. Pfalms in English Verfe, by Sir Robert Kerr, Earl of Ancram, 1624	487
No. II. Letters from Dr. Donne, Dean of St. Paul's, to Sir Robert Kerr	507
No. III. Letters from Drummond of Hawthornden to Sir Robert Kerr	517
No. IV. Accounts for Books and Notes of Paintings purchafed for the Earl of Lothian, 1643-1649	524
No. V. Newbattle Abbey and its Library	532
INDEX OF LETTERS	543
INDEX OF NAMES	550

LIST OF ILLUSTRATIONS.

VOL. I.

SEALS OF THE EARLS OF ANCRAM AND LOTHIAN	<i>Title-page</i>
SIR ROBERT KERR, EARL OF ANCRAM	PAGE v
LADY ANNE STANLEY, COUNTESS OF ANCRAM	xxvi
WILLIAM, THIRD EARL OF LOTHIAN	xlvi
ANNE KERR, COUNTESS OF LOTHIAN	civ
MONOGRAM AT NEWBATTLE ABBEY OF WILLIAM AND ANNE KERR, EARL AND COUNTESS OF LOTHIAN, 1666	cxii
STONE AT ANCRAM HOUSE, ERECTED BY ROBERT KERR AND ISOBEL HOME, 1558	51
CHARLOTTE DE LA TREMOUILLE, COUNTESS OF DERBY	101
JAMES, SEVENTH EARL OF DERBY	186

VOL. II.

GENERAL DAVID LESLIE, LORD NEWARK	298
ROBERT, EARL OF ANCRAM	383
ARCHIBALD, MARQUESS OF ARGVLL	448
CRYPT OF NEWBATTLE ABBEY	533
SUN-DIAL AT NEWBATTLE ABBEY, ERECTED BY WILLIAM, EARL OF LOTHIAN	540

FACSIMILES OF SIGNATURES.

VOL. I.

ANNE, COUNTESS OF ANCRAM	xlii
CHARLES, SECOND EARL OF ANCRAM	cxix
SIR ROBERT KERR OF ANCRAM	4
WILLIAM DRUMMOND OF HAWTHORNDEN	25

List of Illustrations.

	PAGE
SAMUEL DANIELL	25
CHARLES, PRINCE OF WALES	28
SIR WILLIAM KERR	45
WILLIAM, EARL OF LOTHIAN	59, 166
GENERAL SIR ALEXANDER LESLIE, EARL OF LEVEN	103
JOHN HAMPDEN	131
ROBERT, EARL OF WARWICK	144
ROBERT, EARL OF ANCRAM	156
EARL OF ESSEX	162
SIR JOHN MAITLAND	177
JOHN, EARL OF LAUDERDALE	179
BERTHUC [BORTHWICK ?]	181
ROBERT LEIGHTON, BISHOP OF DUNBLANE	186
JAMES, SEVENTH EARL OF DERBY	187
CHARLOTTE DE LA TREMOUILLE, COUNTESS OF DERBY	188
SIR HENRY VANE	189
ARCHIBALD, MARQUESS OF ARGVLL	204
JAMES, DUKE OF HAMILTON	228

VOL. II.

CHARLES THE SECOND	258
JOHN, EARL OF LOUDOUN, LORD CHANCELLOR	275
GENERAL DAVID LESLIE, LORD NEWARK	298
MR. ROBERT BLAIR, MINISTER OF ST. ANDREWS	309
OLIVER CROMWELL	319
ANNE KERR, COUNTESS OF LOTHIAN	443
DR. JOHN DONNE, DEAN OF ST. PAUL'S	508

P R E F A C E.



PREFACE.

THE Correspondence between Sir Robert Kerr, first Earl of Ancram, and his son William, third Earl of Lothian, now printed for the first time, is possessed of some interest in connexion with literature, and is of greater historical importance as serving to throw new light on the part taken by Scotland during the period of the Civil wars in the seventeenth century. The original letters, preserved at Newbattle Abbey, had remained undiscovered during the long minority of the late Marquess of Lothian, otherwise they would probably have been printed many years ago, as searches were made with this object, but without result.

About the year 1858 it was proposed to have the Library at Newbattle Abbey examined and re-arranged preparatory to forming a new catalogue, and the late Marquess having consulted me on the subject, I suggested that, as I could not personally undertake it, the work might yet be done under my superintendence, by Mr. Alexander Orrock junior, who had been one of my assistants in the Signet Library.

It was while that work was still in progress that his Lordship brought under my notice, along with several valuable manuscripts and

printed books, the collection of Original Letters,¹ which had been separated from the Library, and removed, evidently for greater security, to a secret closet in his study, early in the present century, by William, sixth Marquess of Lothian, who had taken much interest in all matters connected with literature and history.²

A portion of these Letters had previously been bound in three volumes, selected out of a considerable number of others which remained folded and tied up in separate packets. These the late Marquess, from time to time, examined and docqueted, but soon found it would be desirable to have the entire collection arranged and classified. This I willingly undertook at his Lordship's request, and they now form a series of sixteen volumes, handsomely bound in morocco, besides two smaller volumes of Miscellaneous Papers. They are arranged as follows:—

1. ROYAL LETTERS	1569-1660	9. LOTHIAN	1608-1643
2. FERNIEHIRST	1505-1597	10. Do.	1637-1649
3. Do.	1527-1621	11. Do.	1650-1652
4. Do.	1537-1607	12. Do.	1651-1656
5. Do.	1602-1656	13. Do.	1649-1678
6. ANCRAM	1607-1640	14. Do.	1657-1669
7. Do.	1620-1633	15. Do.	1673-1696
8. Do.	1632-1654	16. Do.	1663-1709

William Schomberg Robert, eighth Marquess of Lothian, died in London, on the 4th of July 1870, at the early age of 38. He was educated at Christ's-Church, Oxford, and was a distinguished and

¹ Some years previous to this I had twice sought in vain, on the shelves of the Library, for these Manuscripts, of the existence of which I was aware from their having been described by the minister of the Parish, the Rev. James Brown, in "The Statistical Account," 1794, vol. x., p. 216; whose description was copied *verbatim* in Forfyth's "Beauties of Scotland," 1805, and also in the "New Statistical Account," 1839. For a more detailed notice of these books and MSS. *see* Appendix No. V. pp. 536-539.

² In proof of this, a MS. volume in 4to, recently discovered, contains transcripts made by his Lordship from these Selected Letters, having facsimile tracings of the signatures.

accomplished scholar. His cultivated taste in art as well as literature is exemplified in a volume, printed anonymously for private circulation, with the title of "Fragment of a parallel between the History, Literature, and Art of Italy in the Middle Ages:" Edinb. 1863, post 8vo, pp. 478; and also by the publication, during the Civil War in America, of "The Confederate Seccession:" Edinb. 1864, post 8vo, pp. 226—a work which, written at intervals during ill-health, is held in great estimation by the people of the Southern States. If his Lordship had not been prostrated by a serious and long-continued illness, it is very probable, from his literary habits, and the great interest taken by him in the old family letters and papers, that he himself would have undertaken the task of selecting, illustrating, and publishing the Correspondence of his ancestors in some definite form.

The present Marquess soon after his accession contributed to the Roxburghe Club, in his brother's name, a metrical French romance entitled "Floriant et Florete," edited by M. Francisque-Michel, from a unique manuscript of the fourteenth century, preserved in the Library at Newbattle Abbey. His Lordship also proposed to present to the same Club a series of the Letters contained in the present volumes. Knowing the interest that I took in these matters, and that his brother had consulted me upon the subject, his Lordship wished that I should undertake to edit this Work. Averse as I naturally was to come under fresh obligations, having actually on my hands more work of a like kind than I can ever expect to accomplish, I could not well decline, as his Lordship proposed that copies should be presented to the surviving Members of the Bannatyne Club, of which I had been Honorary Secretary during the whole period of its existence since the year 1823, and of which both his father and brother, Marquesses of Lothian, had been members.

It will not be necessary to enter here upon the history of the various branches of the Kerr Family. All indeed that may be required, for illustrating the present volumes, is to collect the chief facts relating to Sir Robert Kerr, first Earl of Ancram, and his eldest

son William, third Earl of Lothian, to whose correspondence they exclusively relate. The accompanying tables, however, may be useful to show at a glance how some portions of the family branched out from, or became merged into, one another during the sixteenth and the following centuries.

From the very extensive and valuable series of Portraits in the Gallery of Newbattle Abbey, the Marquess of Lothian has selected those which seemed most suitable for illustrations to these volumes. The biographical introduction is divided into two parts; but the Letters are arranged in chronological order from their mutual connexion, and such explanatory notes as seem to be required have been added. That the entire Ancram Correspondence has not been preserved is much to be regretted, as the Letters written by or addressed to him during the first quarter of the century might have proved of an interesting literary character. Those of the next quarter contained in these volumes are, however, sufficient both in number and importance to illustrate the respective characters of the Earls of Ancram and of Lothian, while placed in apparent opposition to each other in matters connected with the history of the period. The one, having been attached to the household of King Charles the First for the greater part of his life, had rendered long and faithful service with the best feelings of a courtier; the other, in a more active course of life, and influenced by patriotic and high-minded principle, had appeared in opposition to the Royalist party, without either of them losing those affectionate and respectful feelings of devoted attachment so apparent in every letter that has been discovered.

I cannot conclude without stating that in preparing these volumes for the press I was fortunate in having the assistance of Mr. Alexander Orrock junior, not only in seeing that the original Letters were accurately transcribed and collated, and supplying the Indexes, but also in collecting materials required for the two Memoirs, which, for want of time, I could not personally undertake.

DAVID LAING.

EDINBURGH.





SIR ROBERT KERR, EARL OF ANCRAM

From the original by H. Ebyenbach, at Newcastle Abbey.



ALBERT KERR, EARL OF ANCRAM

Portrait of the Earl of Ancrum, 17th century.

MEMOIR
OF
Sir Robert Kerr, Earl of Ancram.



ACCORDING to the various accounts given by Peerage and other writers, the ancient and noble FAMILY OF KERR were of Anglo-Norman lineage, and descended of two brothers who settled in Scotland in the thirteenth century. Their descendants branched off into two separate races of Border chieftains, each asserting their own title as chief of the name—the Kerrs of Ferniehirst, now represented by the MARQUESS OF LOTHIAN, and the Kerrs of Celsford by the DUKE OF ROXBURGHE.

From the preceding genealogical tables it will be seen that ROBERT KERR of Ancram, third son of Sir Andrew Kerr of Ferniehirst, was the grandfather of Sir Robert Kerr who became first Earl of Ancram. He died in February 1588, leaving by his wife, Isobel Hume, daughter of Hume of Wedderburn, a son,

WILLIAM KERR of Ancram, who married Margaret Dundas, daughter of Alexander Dundas of Fingask, and had four sons—

1. Sir ROBERT KERR, afterwards EARL OF ANCRAM.
2. WILLIAM, the second son, who, for his services on the Borders, obtained a pension of £1000 Scots, October 2, 1614. He also had a grant of the lands of Overtoun, August 30, 1625.¹
3. Sir THOMAS of Kedden, who was knighted on the creation of his elder brother Sir Robert as Earl of Ancram in July 1633.²

¹ Reg. Sec. Sig., lib. lxxxv., fol. 38.

² Balfour's *Annals*, vol. iv. p. 366.

4. ANDREW, who engaged in foreign service, and probably died abroad.

William Kerr of Ancrum did not long enjoy his succession, having, in connexion with some of their family disputes, been assassinated, on the streets of Edinburgh, in December 1590, by Sir Robert Kerr, younger of Cessford. The date of the murder is ascertained by a grant of escheat to his second son, under the Privy Seal.

"An Letter maid to Williame Kerr, second son lawfull to umquhill Williame Kerr of Ancrum, of the Gift of the Eschete of all guidis, geir, &c., quhilkis pertinit to Sir Robert Ker of Cessfurde younger, and Mungo Bennet of Chesteris, and ilkane of thame, now in the King's hands for the said Sir Robert's not finding caution to answer before the Justice for the slaughter and murder of the said umquhill Williame Kerr of Ancrum, committit in the moneth of December, and dated 20th December 1590."¹

The detailed notice of this fatal dispute may also be extracted from the "History of the Church of Scotland," by Archbishop Spottiswood.

"A little after this (December 1590) fell out the slaughter of William Kerr of Ancrum, a gentleman of great sufficiency, who was killed in Edinburgh under night, by Sir Robert Ker apparent of Cessford. There had been a long and old emulation betwixt the two families of Cessford and Farniherst for the Wardenry of the Middle Marches and the provostry of Jedburgh. But Farniherst being then deceased, and the heir left young, this gentleman, as descended of the house, did what he could to maintain the reputation of it, which was an eyesore to the other. It happened also some little time before, this gentleman, in the trial of goods stolen from England, to find out the committer of the theft, and when the same was denied (for the matter was brought before the Council), to verify the same by clear testimonies, which was taken to be done out of spleen, and to rub some infamy upon Cessford, who was then Warden; for the man accused was one of his followers. This the Lady Cessford, a woman of a haughty spirit, did apprehend so deeply as she never ceased till she had moved her son, being then very young, to bereave the gentleman of his life. A hateful fact it was, both for the manner in which it was done and for the loss the country received by the gentleman's death; for he was a man generally well given, wise, of great courage, and expert beyond others in the laws and customs of the Borders. The King was highly offended, and was resolved to use exemplary justice upon the actor. But he eschewing, and living a fugitive some months, was pardoned upon satisfaction made to the gentleman's children, as was thought by the Chancellor's intercession, who afterwards married him to his niece, a daughter of Lethington."²

¹ Regist. Sec. Sigilli, lib. lxi. fol. 111^b.

² Bannatyne Club edition, vol. ii. p. 411.

The Lord Chancellor, John, Lord Thirlestane, and other friends, had thus interest enough to obtain a remission, under the Great Seal, to the younger Cessford and nine associates;—*Remissio domino Roberto Ker apparenti de Cessford, et novem aliis, pro arte et parte interfectionis quondam Willielmi Ker de Ancram*, November 18, 1591.¹

A contemporary writer, supposed to be John Colville, in his anonymous "Historie and Life of King James the Sext,"² assigns a reason for securing Kerr of Cessford's pardon.

"The Chancellor, mistrusting certayne courtours of this enterpryse, not without great occasioun, thocht necessar to fortifie himself with assistance of freynds; and therefore he solistit the King for a remission to Sir Robert Ker yongar of Cessfurde, for the odious murther of William Ker of Ancrum, whilk was obtenit. This murther was committit in Edinburgh, under silence of night, the yeir before, and the committer was reteirit to Ingland, and callit bak for the caus foirlaid; in whom the Chancellor confidit as to the husband of his brother doghter. And for the mair faistie of his persone, he thocht expedient to duell in Edinburgh, guardit with soldiours on the nicht, and honest freyndlie gentilmen on the day, in great number."

The King himself interfered, and wrote (December 31, 1590) recommending that the "deadlie feud fallen out betwixt the houses of Cessford and Pharnehirst for the lait ewell murther and slaughter of umquhile Our weilbelovit Williame Ker of Ancrom, committit be Sir Robert Ker younger of Cessford," should be amicably settled without further bloodshed.

ROBERT KERR, the eldest son, according to his own statement, was born in the year 1578.³ His mother, Margaret Dundas, afterwards became the wife of Sir George Douglas of Mordington. The date of her decease has not been ascertained.

We have no direct information in regard to the early life of Robert Kerr of Ancram; he may have been sent abroad, but his

¹ Reg. Magni Sigilli, lib. xxxviii., No. 246.

² The Bannatyne Club edition, 1825, p. 245; and the Preface to Colville's Letters, printed for the Bannatyne Club, 1858, 4to.

³ See page 379.

education had certainly not been neglected. His first appointment at Court seems to have been soon after the King's succession to the English throne, and in connexion with the household of Prince Henry and his sister the Lady Elizabeth, at Aucklands. The household at first consisted of 70 servants, 22 of whom were to be above stairs and 48 below; it was soon after increased to 56 above stairs and 85 below. His office was that of "Groom of the Bedchamber," and a warrant was issued,¹ as usual, for stuff for his apparel, dated August 30, 1604. In the same year, October 31, there was also paid to him and to his companion Patrick Maxwell the sum of £20 each for their wages.¹ The precise date when he obtained the honour of knighthood is somewhat doubtful: it was after 1603, but previous to 1607, and not unlikely about 1605, or the supposed time of his marriage with Elizabeth Murray, daughter of Sir John Murray of Blackbarony. In the Retours or Services of Heirs in the County of Roxburgh his name is thus recorded:—

Nov. 29, 1603.

Robertus Ker de Ancrum, hæres Williemi Ker de Ancrum *Patris*,—in terris de Woodheid, viz. Staw-waird et Braidlaw in dominio de Over Ancrum—A. E. 20 m, N. E. 27 m.

Maii 12, 1607.

Dominus Robertus Ker de Ancrum miles, hæres Roberti Ker de Ancrum, *Ari*,—in 12 libratibus 6 solidatis et 40 denariatis terrarum de Newtoun, cum molendino de Newtoun, in parochia de Bedderwell—£12, 6s. et 4d.

On the occasion of his going abroad (the special object is not mentioned), Sir Robert Kerr granted a commission, dated at Edinburgh, January 24, 1607, to "Sir John Murray of Blackbarony, knyght, Dame Elizabeth Murray, his dochter and my spouse, and Mr. Johne Abernethie, minister of Jedburgh," to manage his affairs in absence. "Forfamekle (he says) as I am of intention schortlie, Godwilling, to depairt and pass furth of this realme to the pairtis of France and utheris beyond, for doing of my lawfull affairs and

¹ Warrants in Record Office, London.

bisness," etc. This is the first mention we have of his marriage with this lady, the mother of his eldest son, William, afterwards Earl of Lothian.

Sir Robert was still abroad in the following year, as he wrote to the Laird of Ferniehirst from Paris, March 23, 1608, saying "he had heard that the Ladie Newtoun is intending I knaw not what busines for hir sonne service on entrie to his land," and continues, asking Ferniehirst to "look after his interests." At the close of the same letter he says, "We haiv heard ane allarme of your brother Robert his preferment, whereof I am verie glaid, but fall be glaidier that it fall please God to mak him ane instrument of what his dewtie fuld oblige him to. I knaw ye trust in His power that can do alyk with extraordinarie or ordinarie meanes. I haiv written as befor to your sone to England." This refers to his namesake and cousin the fourth son of Sir Thomas Kerr of Ferniehirst, who first appeared at Court about this time; and becoming the King's favourite, was advanced to places of dignity, and raised to the peerage as Viscount Rochester and Earl of Somerset.

Sir Robert Kerr, on his return from France, became one of the Gentlemen of the Privy Chamber in Ordinary to Henry, Prince of Wales. He afterwards was sent by the King on some special mission to Scotland, the object of which is not stated. It might, however, have been owing to his holding the office of Captain of his Majesty's Guard in Scotland, which he resigned in 1613. As this led to a protracted absence from Court, he wrote as follows to his friend and countryman, Adam Newton, Secretary to the Prince, entreating his good services, that he might not suffer from detractors while absent.¹

"SIR—It was your pleasure that I fould trouble you in this forme, Therefore I am bold to defyre the continuance of zour goodwill to me : and that ze will be ane

¹ This letter was first printed by Dr. Thomas Birch in his "Life of Henry, Prince of Wales," (p. 249, Lond. 1760, 8vo). It is here given from a collation of the original preserved with Dr. Birch's papers among the Harleian MSS. in the British Museum (No. 7002, fol. 146).

instrument to keep me in my maister's fauour now in my absense ; especially thatt no detractor have power to begett an ill opinion of me for descharge of this service the King has been pleasd to putt in my hands. It may be that some, because their frends or frends' seruants must finart for their faults, will accuse me of rigour, [and] hunting after glory rather nor iustice. If it please his [Highnes to] keep ane eare to me at my upcuming, I fall rander ane accompt of every poynt can be layd to my charge ; and, in the mean[time], that out of his gracious fauour he will be pleasd to secure me against any that fall hinder my good about the King's Matie. and allow any fauour the King will bestow upone me ; since I am one of the first of his Highnes' seruants that his Matie. hes employet in this kingdome, as I fall preafs to be worthie of his princely fauour, and of the place I have aboutt him, which I reckone more nor any thing in this world. In regarding me thus, you shall obleis me to remaine your louing frend to serue zou,

S. RO. CARR."¹

From ANCRAME HOUSE,
27 October 1611.

One of the letter-writers of the time says, it was "strange that three Roberts with the same surname should be favourites of the King, Queen, and Prince : Robert (Carr), Earl of Somerset, Sir Robert Carr (of Ancram), and Sir Robert Carey."² He might have added a fourth Robert Carr or Kerr, who succeeded as second Earl of Lothian in 1609.

In England the name Ker or Kerr was usually written Car and Carr, and, from the position occupied at Court by the two who are first mentioned, it happens that these Robert Kerrs have often been confounded. Both descended from the house of Ferniehirst, the King may naturally have taken an interest in the members of a family which had sacrificed so much in the cause of his mother, Mary Queen of Scots. The following entries, which occur in the Records of the time, doubtless refer to Robert, afterwards Earl of Somerset :—

On Christmas eve, December 24, 1607, Robert Kerr obtained at Whitehall the honour of knighthood, and four days previously, Robert Kerr, Groom of the Bedchamber, had a grant of the yearly

¹ The original is endorsed "To his muche honored frend Mr. Newton, Secretary to the Prince Highnes."

² Letter, Chamberlain to Carleton, Feb. 1614. *Calendar of State Papers*, p. 124.

rent of £600 for fifteen years :¹ and, December 20, Sir Robert Kerr, a young Scot, was sworn Gentleman of the Bedchamber.² Again, on March 22, 1608, £300 was paid for a tablet of gold, set with diamonds, and the King's picture, given by the King to "Robert Carr, Gentleman of the Bedchamber." He was appointed High Treasurer of Scotland on the death of George, Earl of Dunbar, and created Viscount Rochester March 25, 1611; he was installed a Knight of the Garter May 13 that year; and advanced to the Earldom of Somerset November 4, 1613. The high favour enjoyed at this time by Lord Somerset, we may suppose, would be exercised in promoting the fortunes of his cousin, Sir Robert Kerr of Ancrum.

The premature death of the accomplished Henry, Prince of Wales, November 1612, had been followed by several changes at Court. In the case of Sir Robert, we find that in the following year, November 30, "Sir Robert Ker of Ancrum, in presence of his Majesty's Privy Counsell, dimits the captainship of his Majesty's guard in favour of Sir Andrew Ker of Oxenham, who was preferred to the same, in the room of Sir Robert Ker of Ancrum, who (it is added) is to attend upon the person of his Majesty's darrest Son, the Prince;"³ and Sir John Murray, his father-in-law, in a letter, October 27, 1614, addresses him as "The Right Honourable Sir Robert Kar, Gentleman of his Hienes Bed-chamber."

An unfortunate incident in Sir Robert's career occurred in the beginning of February 1620. The Duke of Buckingham seems at

¹ Warrants, Record Office, London.

² See Calendars.

³ *Balfour's Annals*, vol. ii. p. 44. In the Register of Privy Council at Edinburgh, April 6, 1614, there is "Ane Act quhairby Sir Andro Ker is made Capitane of his Majesty's gairdes," etc., in Scotland. It is nearly a verbatim transcript of his Majesty's missive letter and warrant :—"Right trustie, &c.—Whereas Sir Robert Ker, knyght, gentilman of oure dearest Sone the Prince's bed-chalmer, is by that place and service so tyed to a continewall residence heir, as he can not any longer attend the commandement of our Gairdis thair, Wee have therifore maid speciall choife of Sir Andro Ker of Oxenham, knyght, to succeed in his place," etc.; dated "At Our Manor of Theobalds, the fyfth of March 1614." Sir Andrew, who was a son of Sir Thomas Kerr of Ferniehirst, remained as Captain for many years.

this time to have been jealous of Sir Robert's influence with the Prince; and Charles Maxwell of Terregles, hoping to ingratiate himself with the new favourite, reported a conversation which had taken place at table some three months previously in such a manner as to be highly offensive to the Duke. This having come to the knowledge of the Earl of Nithsdale, who was anxious to reconcile the Duke and Sir Robert, he asked the latter respecting the truth of this report. Sir Robert denied having given utterance to any such statement, and appealed for confirmation of what he said to Charles Maxwell, the very man who had circulated the false report. Maxwell, upon this, demanded an interview with Sir Robert, saying to the Earl, "I shall make him confess it, else it shall be dear to one of us." They accordingly proceeded to Sir Robert's chamber, to which he had been confined by a severe illness for several weeks. High words passed between them, and at length Maxwell said, "I see, Sir Robert, there is nothing on your part but a stiff denial."

"I answer before God and your honourable chief (replied Sir Robert), I justly deny it, and am innocent of that aspersions you strive to lay upon me."

A challenge was immediately given by Maxwell, which Sir Robert accepted, saying, "Well, Charles, since it can be no better but you will put me so hardly to it, I will speak no more to you as friend, and, till this, so esteemed by me, God is my judge, and your chief is a witness, whatever shall fall out, it is sorely fought [forced] upon me; wherefore I will commit the work to God, and withal pass the word of a gentleman that the morrow you shall find me at the place you have appointed, with as much resolution to defend a just cause from an unjust disaster as you for your part dare avouch to have." Turning to the Earl of Nithsdale, he apologised for the disturbance to which he had been a witness, and asked him, whatever conclusion the matter might come to, "to give either of us our due, as the case requires," a request which the Earl faithfully fulfilled. Next day they accordingly met near Newmarket, when Maxwell, to

use the Earl's words, "had his reward," his horse coming in loofe and alone "from the ditch where his master lay dead."

The particulars are fully detailed in the interesting statement written by Sir John Stewart of Traquair, a few years later, and now first printed.¹ Even Maxwell's nearest relations bore Kerr no ill-will on account of this unfortunate occurrence. Sir Robert having delivered himself up for trial at the Cambridge Assizes, was found guilty of manslaughter, but the sentence of being burned in the hand was commuted to banishment. A letter addressed to Sir Robert himself² from Drummond of Hawthornden, February 10, 1620, strongly expresses the feelings of his friends on that occasion. Why, he asks, should he have risked his life to such a swaggering fellow? or, to use his own words—

"It was too much hazarded in a point of honour! Why should true valour have answered fierce barbaritie? nobleness arrogancie? religione impietie? innocencie malice? the disparagement being so vaste. Was it for knowing this when yee left us, that yee graved with your diamond in a window—

Fraile glasse, thou bear'st this name as well as I,
And none doth know in which it first shall die.

And had ye then to venter to the hazard of a combate the exemplarie of vertue, and the Muses' sanctuaries? The lives of twentie such, as his who hath fallen, in honour's ballance would not countrepoise your one."

Chamberlain, in writing to Sir Dudley Carleton, February 12, says—"Some ten or twelve days since there fell out an unlucky accident by reason of a quarrel and challenge betwixt two Scotsmen, Sir Robert Ker, near about the Prince, and (Charles) Maxwell, brother to him of the Bed-chamber, who was left dead in the field, though he held himself the braver man upon the success of having killed one before in Scotland, and another in France. But the King

¹ Page 10.

² Page 519.

says though he pardoned him then, and the French King after, yet it seems that God would not pardon him now. Upon the Prince's humble and earnest entreaty, assisted by the Duke of Lennox and Marquis of Hamilton, together with the Coroner's Inquest finding it 'manslaughter,' the King is pleased to remit the offence, and that Ker be restored to former favour, the rather that for he was earnestly urged, and could not by any reasonable means avoid it."¹

In March 1620 Prince Charles is found applying for a pass in Sir Robert's favour, "that he might go beyond sea, because he will not have his Father's edict slighted."

After a period of six months' banishment, a special pardon was granted to Sir Robert Kerr, October 23, 1620. He accordingly returned, and resumed his duties in the Prince's household. Sometime previous to this event he had lost his wife, the daughter of Sir John Murray of Blackbarony. We have no precise account of the date or circumstances of her death; but Sir Robert, in the following year, contracted a second, and, as it proved, also a happy marriage.²

Sir Henry Portman, Bart., of Orchard Portman, Somersetshire, had been married to the Earl of Derby's eldest daughter, the Lady Anne Stanley, in July 1616. In September 1617 Sir Henry was said "to have broken his neck:"³ this must have only been a report, as Chamberlain, on February 27, 1621, mentions the death of Sir Henry Portman, Bart., of Somersetshire. He left a young widow, and Sir Robert Kerr a few months afterwards succeeded, partly through the interest of Charles, Prince of Wales, in making her his wife.⁴

A letter of Sir Robert Kerr about this time first introduces to our notice his eldest son WILLIAM, the chief personage of the present volumes. It is dated from St. James', March 29, 1621, when, as will

¹ Nichols' *Progresses of King James I.*, vol. iii. p. 587.

² *Calendar of State Papers*—(1.) p. 334; (2.) p. 484; (3.) p. 228.

³ Letter of Sir Edward Zouch, Whitehall, March 23, 1620 (*Calendar S. P.*)

⁴ See the Prince's letter in his favour, and the footnote, at p. 26.

afterwards be shown, his son was prosecuting his studies at the University of Cambridge.

The next important public event in which Sir Robert was engaged was connected with the proposed Spanish alliance. Prince Charles, accompanied by the Duke of Buckingham, with only two attendants, set out in disguise through France on his romantic visit to the Court of Spain, in January 1623. According to Carleton's letters, on March 5, "Sir Robert Carr has set out to join the Prince;" but Sir Edmund Verney, who was one of eight Gentlemen of the Privy Chamber, furnishes the following details :—"As soon as the Prince was established at Madrid, the principal members of his household were sent after him by King James. The Adventure, a ship of war, was fitted up for their reception, and on the 1st April 1623 they embarked. There were on board the following officers of the Prince's household : Viscount Andover, master of the horse; Lord Compton, who was killed at Hopton Heath, master of the wards; Lord Carey of Lepington, chamberlain; Lord Vaughan, comptroller; Sir Robert Carr, gentleman of the bedchamber."¹ Separate accounts were published at the time of the joyful reception and entertainment of the Prince and his attendants at Madrid and elsewhere. After spending eight months in Spain, partly owing to the protracted negotiations, when Urban VIII. was elected Pope, in obtaining a new dispensation for the Prince's marriage with the Infanta, and partly to Buckingham's insolent conduct, the proposed match was broken off, and the English party returned in the month of November.²

On December 30, 1622, a warrant was issued to pay Sir Robert Kerr, for the Prince, £1000. In April following, Sir Robert obtained a pension for himself and his wife Lady Anna Kerr.³ In reference to

¹ The *Verney Papers*, Camden Society, 1853, p. 107.

² Reference may be made to a valuable work, "Prince Charles and the Spanish Marriage, 1617-1623," by S. Rawson Gardiner, 2 vols. 8vo, 1869. Also to a volume of the Camden Society's Publications, No. CI., 1869, edited by Mr. Gardiner.

³ *Calendar of State Papers*, p. 565.

this, the Lord Treasurer Middlesex writes to Secretary Conway, from Chelfea, April 24,—“ the King’s favours to his servants being without end, desires a special warrant for the pension of £500 for Mr. Carr.”¹

The death of King James, March 27, 1625, necessarily produced considerable changes at Court. The attachment of Charles, after his accession to the throne, to Sir Robert Kerr remained unaltered; and the letters addressed to him by the Earls of Haddington, Balmerino, Rothes, and others, show that they considered him to possess no small influence with his Royal Master. The Earl of Rothes, writing to Sir Robert on the 14th of April 1625, asks him as one engaged “ in so many greit affaires,” and from his regard towards him as “ being in my estimation far beyond any that is in the personall service of our Master,” to use all his influence and power to “ move a pacification of thos extremitys which hath fallowed upon the Nouationes imposed on the Kirk,” and the “ restauration of the Nobility’s wonted liberties in Counsell and Parliament.”² The misdirected policy of the late King to secure uniformity in Church matters, by forcing Episcopacy upon the people of Scotland, was unfortunately, however, inherited by his son, and became with him an actuating principle. Although opposed by persons of all ranks in Scotland, the King conscientiously persisted in this course, which, together with his arbitrary proceedings in the Parliament of England, proved the leading cause of the Civil Wars; besides involving a series of persecutions against both Puritans and Covenanters that swept over both Kingdoms for so many years after the Restoration. But this is a matter of general history, and need not be enlarged upon, except in so far as connected with the present volumes.

No event of any importance occurred in Sir Robert’s career till 1629, when the unexpected death of the King’s nephew, Prince Frederick Henry, Count Palatine, the eldest son of the King of

¹ *Calendar of State Papers*, p. 568.

² Letter from John, Earl of Rothes, to Sir Robert Kerr, p. 35.

Bohemia, took place. The Prince, then in the fifteenth year of his age, was proceeding with his father from the Hague to Amsterdam on the 7th of January 1629, to see some ships which had been captured in the West Indies, when their vessel, coming into collision with another, rapidly filled and sank. The King of Bohemia, with two or three servants, were with difficulty rescued, but the young Prince and nineteen others perished.¹ This sad event naturally occasioned great grief at the English Court, and from a note in a manuscript volume at Newbattle, we learn that Sir Robert Kerr was then sent by the King on a message of condolence. It is as follows:—"This booke [of French legends and proverbs] was given to me by Princeffe Louise, second daughter to the Kyng of Boheme, who writ it with her owne hand. And in it the Princes her brothers, and the Princeffe Elizabeth her eldest sister, wrote down there names, as they are heer in to be seen. This was donne when I was sent over by Kyng Charles, my maister, to the Kyng and Queen of Boheme upon the death of their eldest sonne, Prince Frederick Henry, 1629."

From this time for several years Sir Robert Kerr appears to have continued his residence at Court, abstaining from taking any very prominent share in public affairs, and such letters as are preserved between him and his son chiefly relate to their own private and pecuniary arrangements. Sir Robert's long letter of minute instructions for altering and improving Ancram House, December 20, 1632, with its gardens, trees, approaches, etc., was not intended for his own benefit, and might seem strange, unless for the circumstance that the desire of enabling his son to maintain the dignity of the Earldom of Lothian, to which he had been advanced after his marriage with the Countess, had led Sir Robert to divest himself in his favour of the estate of Ancram and other property in Scotland. This may have been about two

¹ See letter, Mr. Beaulieu to Sir Thomas Pickering, *Court and Times of Charles I.*, vol. ii. p. 7. As an instance of the confusion caused by the similarity of names (see p. ix.), it may be mentioned that in this letter Sir Robert Carey is named as the Ambassador despatched by the King.

years before he himself was raised to the peerage, and suggests that he not only was possessed of ample means to provide for his family by his second marriage, but contemplated a permanent residence in England. The Earl of Lothian might therefore well express his great obligations for such unwonted liberality;¹ and his father, during his occasional visits to this country, at distant intervals, resided at Newbattle as a visitor, and not at Ancram as the proprietor.

The visit of King Charles for his Coronation in Scotland had been postponed from year to year until 1633, when the King left London on the 11th of May, and on Saturday the 15th of June, with all his train and royal equipage, he made his triumphal entrance into Edinburgh. On the 18th, having lodged the previous night in the Castle, he came in great state to the Abbey Church of Holyrood, where he was solemnly crowned. "Because (says the Lord Lyon)² this was the most glorious and magnifique Coronation that ever was seen in this Kingdom, and the first King of Great Brittain that ever was crowned in Scotland; to behold these triumphs and ceremonies many strangers of great quality resorted hither from diverse countries." One of "his goodly train of attendants" was Sir Robert Kerr, who held the office of Master of the Privy Purse. Balfour says, the King, "in honour of his coronation, first Parliament, and place of his birth (Dunfermline), he created 1 Marquess, 10 Earles, 2 Viscounts, 8 Lords." In this number, on June 24, Sir Robert Ker was created "EARLE OF ANCRUM, Lord Nisbett, Langneutone, and Dolphington."³ A meeting of Parliament was also held, in the Old Parliament House in Edinburgh, above St. Giles's church, in which various enactments connected with Church matters were passed very displeasing to his subjects. After the King had visited Linlithgow, Stirling, Dunfermline, and Falkland, he returned to Edinburgh, and began his journey to the South on the 18th of July.

In the following year, the Earl of Ancram was one of the nobility

¹ See letters, Earl of Lothian, in 1633 and 1634, vol. i. pages 78-84.

² Sir James Balfour's Works, vol. ii. p. 199.

³ *Ib.* p. 203.

of Scotland nominated by the King for the Court of High Commission.¹ His non-residence fortunately prevented his taking any share in this obnoxious attempt to establish a new Star Chamber, and to increase the power of the Scottish prelates.

The expenses attending his new rank, and the necessity of making provision for an increasing family by his second marriage, made Lord Ancram desirous of some addition to his fortune. In the following letter to Thomas, Lord Wentworth, the Lord Deputy of Ireland, the Earl of Ancram makes an allusion to these circumstances, while he refers to his long services to King Charles. As the reply by Lord Wentworth is brief, it may also be added, although it does not explain the nature of the application that had been made.

THE EARL OF ANCRAM to the LORD DEPUTY.

MY LORD, I have sought your assistance to those helps I was put upon in Ireland with much respect, and I do confess your Lordship hath answered me courteously; but all that I sought was stopped by your power there. I follow that purpose for children which are of your country and kindred, if Oxford or Derby, or Cumberland be so, and on their father's side, whatever he can say else for himself, he hath served King Charles with honesty and diligence in a near place these twenty-five years past. His Majesty is willing to reward me. And because he hath much business, it becometh us to help ourselves with the least hinder to his Majesty's affairs that may be, and from cast up in Ireland, whereby so many are enriched. I am confident, my desires being moderate, will prosper, if your Lordship will assist me. Now I have imparted my mind in general to Sir George Radcliffe, and in particular I will follow it by letters, only by this I desire to know, if your Lordship will think fit to oblige me or not. If you will, I know as well how to be thankful, as to be patient if you refuse me; so referring the rest to your answer after you have spoken with Sir George, I take leave for the present in this great willingness to approve myself, your Lordship's affectionate friend and humble servant,

ANCRAM.

COURT, 10 July, 1638.

THE LORD DEPUTY to the EARL OF ANCRAM.

MY VERY GOOD LORD, Sir George Radcliffe brought me a very gracious recommendation of your particular from his Majesty, which as you have reason to consider with much comfort, so shall it be of delight unto me, if it be in my power to administer

¹ See Royal Warrant, Oct. 21, 1634, in Baillie's *Letters and Journals*, vol. i. p. 424.

anything to your Lordship's advantage : and therefore I am very shortly and truly able rightly to satisfy your Lordship, that I am in perfect good disposition to hear all that may be for your service, to consult it, to study it with such as you shall please to appoint to treat and agent your affairs here, and to contribute to your contentment therein the best endeavours of your Lordship's most faithful humble servant,

COMHA, this 27th of August, 1638.

WESTWORTH.¹

The Earl of Ancrum, who had the best opportunities of knowing the King's feelings at this time on finding all his most cherished schemes for Church government in Scotland thwarted, could not but be anxious or feel annoyed at the part taken by his son the Earl of Lothian. In the few letters which are still preserved, one or two sentences seem to indicate this ; but whether he was subjected to any personal inconvenience on this account may be considered doubtful. Robert Baillie, in one of his news-letters, February 12, 1639,² says, " The Marquess of Hamilton, for a token of favour, hes gotten to his brother (William, Lord Lanerick) already the Privy Purse, and a place of the Bedchamber ; whence the Earle of Ancrum is removed ; whether *for the zeale of the Earle of Lothian, his son, in the Countries cause*, or for his long and evident infirmity, which made him very unmeet to ly in a prince's chamber, *we doe not yet know*." Baillie has no subsequent allusion in reference to such a report.

It is not unlikely that Lord Lanerick may have been made Keeper of the Privy Purse about that time,³ but letters to the Earl of Ancrum continued to be addressed to him as " Gentleman of his Majesties bed-

¹ *The Earl of Strafford's Letters and Dispatches*, vol. ii. pp. 183 and 209.

² *Letters and Journals*, vol. i. p. 116.

³ In the previous month, at least, no such changes had taken place, as the following receipt shows :—" January the 2d, 1638 [1638-9].—Received by me, Robert, Earlle of Ancrame, gentleman of his Ma^{tie}'s bedchamber, and Keeper of the Privy Purse, of Sir William Parkhurst knight Warden of his Ma^{tie}'s Mynt, the sowme of fyve hundreth powndes in Angells of fyne gold, for curing the disease commonly called The Kinges evill, and that frome the first of Aprylle last bypast, in this present yeir of our Lord 1638, wnto the first of this present January 1638[-39], I say received 500^{lb}. 00 00." (Original Documents, presented to the British Museum by Sir William Mufgrove ; Additional MSS., No. 5751, fol. 345.)

chamber " until at least March 11, 1644, when he may have resigned that office, as subsequent letters are simply addressed to him "at London." The Earl of Lothian, October 21, 1640, from Newcastle writes, "I am sorry for the expression in this letter to me, which sayeth, "nowe that we are in direct opposition to our King;" he replies "We are not foe, nor ever shalbe: We are but come hither to present our humble supplications and just greavances, and if we do it in armes, it is to save and defend ourselves from his and our enemies. If our intentions had beene otherways, we might have beene nearer [London] where yow are."

There are but few letters known, either written by or addressed to the Earl of Ancram between the years 1641 and 1650; and in this eventful period he still continued to keep aloof and take no part in the great political movements that were occurring around him. It is even doubtful at what time his services as Gentleman of the Bedchamber to his royal master actually ceased. But chiefly owing to the distracted state of public affairs he began to experience the effects of pecuniary difficulties by the arrears of pensions accumulating, and receiving only partial payments. We find from the Parliamentary proceedings in June 1643, and at other times, Lord Ancram was under the necessity of applying to the House of Commons to obtain payment of his pension of £500; and likewise in November 1645 he addressed the House of Lords, claiming his privilege as *the King's servant* to be exempted from threatened arrest and imprisonment by his creditors. Such protection for the space of six months was granted, and renewed from time to time, until November 1648, which would extend till May following. But the King's death, January 30, 1649, and the Act of Parliament for abolishing of Monarchy and the House of Peers, March 17, deprived his Lordship of such protection. It may have been owing to this circumstance that the Earl of Ancram paid his latest visit to his native country.

The death of Charles the First could not but be deeply felt by his old and faithful servant the Earl of Ancram. In his letter to Lord

Balmerinoch, from Westminster, February 22, 1649, sent with his son, he has the following allusion to the sad termination of the King's life :

" Though my sonne Lothian be all my letter, I would not lett him part without this fresh memorandum. . . . This Sonne of myne, whom God hath been pleased to be so ayrlly and assidowusly employed in this publique busines, is cum'd to be also an eye-witnefs of a sadder spectacle than ever we thought would grow out of it. The King of kyngs enable him, and all of yow who are behynd, to do that which is most for God's glory, and the good of the Church and his people in it, everywhere ; and at this lock am I creeping down the hill, or rather upp the hill from this world to a better."

Among Lord Ancram's stray papers I have the following short note, which furnishes the date of his visit to Newbattle. It has no address, and I cannot so much as form a conjecture as to the work called a " story," to which he alludes, and therefore cannot say whether it ever was published :—

SIR, I send this to desyre yow to send me your story, that I may content my self to see your digesting of it ; and I promise no body els shall see it, and haste it back agayne to yow when yow please, with my confirm'd hartye kyndnes to yow and all yours, as your most loving friend and servant,

ANCRAM.

NEWBATTLE,
29 Novemb. 1649.

We know also from the letter, from London, of his daughter Lady Vere Carr, that Lord Ancram was in that month at Newbattle, when she says—

" I am, in my owne name and my Ladyes and Sisters', to give you thancks for the kindnesse you shew to our Father, being confident the Lord will reward it to you. Wee are doing what in us lyes, that he may not bee burdensome to you, and to gett things into a posture that hee may be with us with comfort, if not with splendour. . . . I am become an importunate suitor to our judges heere. If I can but prevail to gett our 10^{lb}. a week againe continued to us, which has bin soe long under restraint, I shall thinck I have made a good conclusion for this bout. I gett a greate many good words, and upon that I have built some hopes of finding something answerable in time, but the motions of our rulers are slow. I attend them with all the faith and patience I am able."

Such expectations were not realised, and the Earl of Ancram, instead of returning to London, no doubt took advantage of a vessel

from Leith to Holland, hastened, it might be, by Cromwell's invasion of Scotland, as he had arrived at the town of Dordrecht or Dort in September 1650.

At the end of October Lord Ancrum had taken up his residence at Amsterdam, as the Earl of Calendar, in the postscript of his letter (p. 318), says—"Your noble father and I are together, in whose company I think myself happy."

Sir William Makdowell, in writing to Lord Lothian from the Hague, February 1651, says,—“The Earl of Ancrum, your Lordship's father, has a necessity of your Lordship's present assistance. I shall do what I can, but I protest I have aneuch ado to subsist myself, and am clogged with my necessitous countrymen.” Again, in the same month, he says (p. 330)—“Becawes I go hoom to my awen hows for my particular affaires I schall pray your Lordship's father, the Earl of Ancrum, go alonge with me to stay till your Lordship sent provision for his necessitie, and supplé his Lordship all the service I can” (p. 339). In April that year the same request is thus urgently made:—“As your Lordship hes bene pleased to recommend to me in a letter of the 10 March, from Monros, your father, the Earle of Ancrum, and your two sonnes, I schall peremtorye obey your Lordship's order to the extent of my power, as I have alreddy geven bond to Thomas Morton, merchant at Amsterodam, for two thowfand guilders or two hundred lib. sterling for his Lordship, which I beseach yow cawes promptly to be payed to him, as also to continow your Lordship's favour towards me” etc. (p. 354).

The Earl of Ancrum's letters, written from Holland during the last four years of his life, relate chiefly to the increasing difficulties he experienced for the means of support. Both his wife and his son had contributed as much to his comfort as they were enabled. In the letter of the Countess of Ancrum to Lord Lothian, July 23, 1652, she says—"I think I need not tell you of my affliction: Your father being banished, and all our meanes taken from us, our ten pound a weeke suspended ever since the late King's death, that I have not

been able to afford him the least releefe: All my joynter being [having been] ingaged by your father, and, upon every part of it, extent upon extent, that if it had not been for some, that were meere strangers to us, and did compassionat my sad condition by sometimes furnishing us with meate and fyer, *I and my children had starved.*" The Earl himself, as the same letter further states, was constrained, on account of his debts, to remain in Holland. His wife, addressing Lord Lothian, also refers to "the many sad letters which I get weekly from my Lord your father of his great wants, and of the disagreeing of the place where he is with his health and age. Therefore his desier is to retyer thens to a more obscure place, where he may get some wholesomer ayre, untill it shall please God to fend him releafe and subsistence with us."

But what could his friends do for his permanent relief? Their pensions accumulating, and their property partly confiscated. The Earl of Lothian himself, on account of public debts, had been put *to the horn*—that is, proclaimed an outlaw, and beyond the protection of law. Yet, Lord Ancram was cheered by the visit of two of his grandchildren, who had been sent abroad for their education. On February 10, 1652, he writes—

Your children are in good health, God be thanked, and I am chayned to this place, where I must stay a prisoner or a pawne for my self till I quyte [clear off] the score. I have not yet payed a penny for since the 3 of September a yeare agoe; now, it is the six moneth more. . . . Meane tyme, I lye for it, and shall lye till I dye, if I be not relieved one way or other. They wryte to me from London many fayre promises of the Parliament's; butt I have received no performance of them eyther to me or themselves. For my wyfe's weekly maintenance of 10 pound a weeke, if they gett it, I am sure to gett my pairt of it, and I shall as surely free all I am owing; for I am now leirn'd to be "penny wyfe," thogh I was formerly "pound foole." *If I gett it not, I must leave all obnoxious to it, who, I hope, will own me when I am dead.* Till then I attend the will of God for Kyng, country, and all my interests in them is your most loving Father,

ANCRAM.

The Earl of Ancram's last letter, addressed to the Earl of Lothian, informs him that his two sons had, in good health, set out for France,

along with their tutor Mr. Young, who had recommended this for them as a change of air, concluding with these kind affectionate words :—
“ There is nobody more dear than you and yours are to your most loving father, ANCRAM.

“ Lett my love be warmly remembered to your wyffe, and to all your children by their names, and Margaret Fasyde.—Amsterdam, December 9, 1654.”

It must have been after a very brief illness that this good old man, that same month, died at Amsterdam, having attained the ripe age of seventy-six. For this event he had long been prepared, as testified by various passages in his letters. In December 1653 he says—“ *I am striving, by God's assistance, to be ready to die.* . . I desire but to make a quiet end among them I am bound to, and then layed in any Christian buryall, without any pompe or ceremony.” . .

In this desire to have returned to his native place, and to be laid peaceably, and without parade, among his friends and relations, the Earl of Ancram could not be gratified. It will be seen how little he was indebted to the kindness of strangers for the performance of these last services; but his assurance was not unfounded that his family would never allow his debts and funeral expenses to remain undischarged.

The three interesting letters addressed to the Earl of Lothian by William Malyn, private secretary to Cromwell in the year 1655, are connected with the Earl of Ancram's affairs. In the first—“ I received your Lordship's with that enclosed to his Highnesse. Your Lordship was pleased to desire me to further your desires to his Highnesse, that his Highnesse former order might not be altered. Truly, my Lord, before your Lordship's came to my hand, 580 od pownds were returned by bills of exchange, and his Highnesse hath ordered the greatest parte of it to be sent into Holland for discharging of the debts of the late Earle of Ancram, defraying of the expenses of the interment of his corps; and that the remainder should goe to the releife of the Countesse and her family. But since (it

is added) we understand that the whole sounge will hardly reach to answere those debts, and the charge of the funerall, the Countesse is resolved not to meddle with a penny of it, that those debts and expences may be satisfied."

Another letter, in May 1655, or four months after the Earl of Ancram's decease, contains the startling information that his creditors in Holland had arrested his dead body before its interment in order to secure payment of his debts; and that CROMWELL, to his honour, on hearing of this disgraceful proceeding, commanded the Secretary of State to take immediate steps in the matter. Malyn's words are as follows: "As for the pension, I formerly gave your Lordship an account how that money which was returned from Leith hath been disposed of, to witt for the satisfying of debts in Holland; but I heare that some of the creditours are soe rigorous and exacting, that the whole money will not satisfy them, *and that the corps remayne yet uninterred*; and therefore I lately moved his HIGHNESSE to send to the Dutch Ambassadour here, to write to the States in Holland, that the funerall might not be disturbed by the creditours, which his Highnesse commanded the Secretary of State to signifie to the Ambassadour."

Could he have foreseen this, he might have used the words of Wolfey (as in Shakespeare's Henry VIII.)

"An old man, broken with the storms of state,
Is come to lay his weary bones among ye;
Give him a little earth for charity!"

The attachment of the Countess of Ancram to her husband, as displayed in her conduct all this time, so free from anything approaching to selfishness, while providing for his support and comfort in his old age, ought not to pass unnoticed.

LADY ANNE STANLEY, daughter of William, sixth Earl of Derby, and of Elizabeth Vere, was born about the close of the sixteenth century. She married in 1621, for her second husband, Sir Robert Kerr, who was created Earl of Ancram in 1633. Her brother James, seventh Earl of Derby, distinguished for his loyalty, was taken pri-





MARY ANNE PIERPONT, COUNTESS OF ANCRUM.

From the original by Van Somer at Newbattle Abbey.



soner at the battle of Worcester, September 3d, 1651, and was condemned and beheaded at Bolton in Lancashire in October following. Her own family consisted of two sons and four daughters (see Genealogical Tables, No. III.) Charles, the eldest son, succeeded his father as second Earl of Ancram in 1655. He died about the year 1680, without issue, when the title was merged with that of Lothian; Stanley Kerr, his second son, whose name is omitted in the English peerage, having died young.

The Earl of Ancram's mother, Margaret Dundas, daughter of Archibald Dundas of Fingask, as already stated, married for her second husband, in 1590, Sir George Douglas of Mordington. His eldest son, George Douglas, after receiving a learned education, devoted himself to a military life, and, like many of his compatriots, served under *the Lyon of the North*, Gustavus Adolphus, in 1623. He received the honour of knighthood from Charles the First, and was appointed Ambassador for "concluding of peace or truce between Suethland and Poland, anno 1635." Sir George died suddenly while at Damin in Pomerania on the 15th March 1635-6. His nephew, Sir William Lockhart of Lee, then a youth aged fifteen, was in his company. After some delay, we are told, his body having been brought from Hamburg to the pier of Leith, was, "by a great concourse of honourable company, attended, not long after, to the tombe of his ancestors."

An account of Sir George Douglas by his Secretary is subjoined to a work entitled "The History of the Troubles of Suethland and Poland, etc., Concluding with a briefe Commemoration of the Life and Death of S^r George Duglas knight, Lord Ambassadour Extraordinary from the late King of Great Brittain, for the treaty above mentioned (Treaty of Pacification, Anno 1635), by J. Fowler, Secretary to his Lordship for that Embassy." London, 1656, folio. The author dedicates the work "To his Highnesse the Lord Protector." He was, most likely, related to William Fowler, uncle of

Drummond of Hawthornden, and would be well acquainted with his family, when he says of Sir George Douglas,—“He was a native of Scotland, and descended from that branch of the honourable house of the Duglasses, entitled the Baronnie of Torthorrell, being son to Sir George Duglasse knight, whose father (whilest living) had been, and whose brother then was lord thereof. His mother was of the house of Dundas, a family of good repute in that nation, as being both ancient and noble. His father came into England either with, or soone after King James, bringing with him his children (whether his lady were then living I cannot say), George, of whom the present mention is made; James, and Martha, since married to Sir James Lockhart of Leigh [Lee], in Scotland, and then of the privy chamber in ordinary to the late King.

“His education (after some yeares spent in the schooles) was at the University of Oxford (if information erre not), and he so much a scholar as that the Latine tongue was familiar to him both by speech and pen, not onely for ordinary but likewise for elegant expressions; neither was he ignorant of the Greek; but, thinking the schooles an over soft course of exercise, he left them and betook himselfe to armes, as more fuitable both with his complexion and disposition.”¹

Lord Ancram's mother is also mentioned by John Weemes, A.M., of Lathocker, of an ancient family in Fife,² who was minister of Dunse, and was preferred to a prebendal stall in the Cathedral of Durham in June 1632, which he held in conjunction. He was the author of various works, collected in 4 vols. 4to, London, 1636.³ One of his works, first published at London, 1632—“An Exposition of the Ceremoniall Lawes of Moses, as they are annexed to the Tenne Commandements;” has a dedication “To the Right Honourable Sir Robert Ker of Ancram knight, Gentleman of King Charles his Bed-Chamber,” which, as containing an interesting allusion to Sir Robert and his family, may be quoted.

“And now Sir, I dedicate this part of my labours to you, that it

¹ Fowler's *History*, etc., 1656, p. 216.

² Douglas's *Baronage*, p. 553.

³ Weemes died in November 1636, aged about 57. (Scott's *Faith*, etc., vol. i. p. 404.)

may remaine a note of my thankfulnesse for your favours to mee. I know Sir, that yee will make better use of it, then most men in these dayes doe with such Treatises, casting them by. . . . But I know Sir, your breeding craveth another thing of you, who was bred up under so wife and religious a mother, who for the education of her children, was another MONICA, as your selfe and your vertuous sister, Mistris Katherine, are sufficient proofes. I cannot passe by her name upon this occasion, whose life and death was to me an instruction. Good cause have you to keepe that methode, as yee have begun it in your eldest Sonne, so to prosecute the same with your many hopefull children, which God hath given you by your Noble match, which is one of the best borne Ladyes of this Land, who dignifieth her birth by her Christian, humble, and godly life. Sir, beleeve mee that godlinesse is more true Honour to you than your birth, although you bee never so well descended, and to bee more esteemed, than the place which yee have about our Gracious King, and more than all morall vertues whatsoever."

The dedications of such books should not be neglected. There may be some which have escaped my recollection, but the two that follow are worthy of notice. The first to be mentioned is a little volume of Moral Emblems, in Latin and English verse, by Robert Fairlie, Scoto-Britannus, printed at London, 1638, 12mo.¹ As nothing is said respecting Fairley when his Emblems and name were recently revived in a handsomely illustrated volume of Emblems,² it may be

¹ The title is:—"Lychnocausia five Moralia Facum Emblemata. Lights Morall Emblems. Authore Roberto Farlæo Scoto-Britanno. London, printed by Tho. Cotes, for Michael Sparke Junior, 1638," 12mo. It is addressed, "Nobilissimo et Illustrissimo Domino omnifariæ Virtutis et Pietatis studiis ornatissimo, Dom. Roberto Karo, Comiti ab Ancram," etc.

² The title of this modern republication is as follows:—"Moral Emblems, with Aphorisms, Adages, and Proverbs, of all ages and nations, from Jacob Cats and Robert Farlie. With Illustrations freely rendered, from designs found in their works, by John Leighton, F.S.A.; the whole translated and edited, with additions, by Richard Pigot, Member of the Leyden Society of Netherlands Literature. London, 1860, 4to." The volume was again published in 1862. It is from the first of two volumes that Fairlie's Emblems are selected; and no notice is taken of the dedications.

added that he was a native of Edinburgh, born about the year 1605. He took his degree of A.M. at the university in July 1624, and became (if I mistake not) master of the Grammar School of Muffelburgh. Having been a successful teacher of Latin for many years, he came forward as a candidate, without success, for the office of Regent or Professor of Humanity, in 1638. In the contemporary history of the University of Edinburgh, the author, Thomas Craufurd, says—"Two competitors appeared—Mr. Robert Fairly, son to an honest citizen, laureat anno 1624, and long practised in the profession of humanity, *cum laude*; and Robert Young (named before), son to Mr. Andrew Young, late minister at Abercorn. The rigorous trial *ad aperturam libri* was made use of. No man doubted but the first named (having so many advantages, and being so well seen in humanity) should carry the prize. But it pleased the Lord so far to desert him at that time, that no man did voice for him, whereupon Mr. Robert Young was admitted Professor of Humanity, 14th November 1638."

Fairlie's dedication of his Emblems, in 1638, to the Earl of Ancram, concludes with eighteen lines of Latin verse, of which the first four may suffice—

KARE Caledonios inter dignissime Divos,
Nobilitatis apex, et Pietatis Honos;
Chara Dei soboles, et Regi fidus Achates,
Unica Musarum cura, meumque decus.

Nobilitati Tuæ devotissimus,

ROBERTUS FARLÆUS.

After these lines follows a poetical address to Lady Ancram:—

To the most Noble and Illustrious Lady, both for Nobility and Piety, as
of Vertue a rare and peerlesse example, LADY ANNE KARE, COUNTESS
OF ANCRAM.

The Lizards eyes the face of man amazeth,
Looking on which the more and more it gazeth:
When I your heaven infused graces view,
Madam, my sense amazed stares on You.

Heaven tempers so its gifts in You alone,
 As that all graces seeme combin'd in one ;
 When I do homage to Nobility,
 Straight on it doth reflect Your piety ;
 So earthly glory and that of heav'n begun
 Makes You a glorious object like the Sunne,
 Which darteth forth so many rayes of light,
 As that they dazle this my scantling light.
 In You great *lunos* stately majestie
 Is fraught with Christian love and charity
 You have what vertues learn'd *Minerva* hath,
 And for her *egis*, you are arm'd with faith.
 What's *Venus* beautie to Your sacred face,
 Which is the Physiognomie of grace.
 If for the golden apple there should be
 A strife amongst the goddesses ; To thee
 Let *Paris* give it, so he surely shall
 Please all the three, Your selfe being more than all.

Your Honours humble, and most devoted to serve you

ROBERT FARLIE.

Fairlie published another volume of Emblems, in the same year :—" *Kalendarium Humanæ Vitæ* : the Kalender of Mans Life, Authore Roberto Farlæo, Scoto-Britanno. London, printed for William Hope," 1638. 12mo. The dedication is " *Illustrissimo et Nobilissimo Domino, Dno. Roberto Karo, Comiti a Summerfet, etc.*"

A republication of the well-known work of Florentius Volufenus (1543),¹ was edited by David Echlin,² in 1637, author of various Latin poems, who, after spending several years connected with foreign

¹ " *De Animi Tranquillitate Dialogus, Florentio Volufeno Autore. Lugduni* (Lyons), apud Seb. Gryphio, M.D.XL.III.," 4to. Echlin's edition was printed at *Lugduni Batavorum* (Leyden), 1637. Some copies have a new title-page : *Hagæ Comitiss* (The Hague), 1642, 12mo.

² Echlin was educated at St. Andrews, and while at Paris in 1602, he published his Latin poem *Ova Paschalia*, included in the *Delitia Poëdarum Scotorum. Amst.*, 1637.

colleges, became physician to the Queen of Charles the First. It is addressed to the Earl of Ancram—

“Generosissimo Domino Roberto Caro, Comiti de Ancram: Carolo Magnæ Britanniae, Franciæ, et Hiberniæ Regi, ex Intimis, a Secretiore Cubiculo;” and signed “Patrocinio tuo plus quam plurimum devinctus, ac devotus DAVID ECHLINUS, Mariæ, Mag. Britanniae, Fran., et Hiber. Reginæ Medicus.”

Another work to be noticed is the volume of Latin Poems¹ of David Hume of Godscroft, collected and published by his son James Hume, at Paris, in 1639. It includes some verses addressed to Lord Ancram, by the Editor, which may be quoted, as they contain allusions to some of their mutual relations.

AD NOBILISSIMUM VIRUM D. ROBERTUM CARUM,
COMITEM ANCRAMIUM, ET SERENISSIMO
MAGNÆ BRITANNIÆ REGI A TRICLINIO.

Te non ad tantos fors cæca euexit honores,
Et genere, et meritis munera digna tuis,
Humia gens, Cari, Dundafforumque propago;
Est genus hæc matris, est genus illa patris,
Est vetus indomitis gens Humia cognita Scotis,
Et bellatoris cognita facta Cari,
Clara patris soboles, et claro digna parente,
Confilio promptus, promptus vterque manus.
Est tibi Rex cura, quum claudit lumina fomno,
Siue patent fomno lumina casta suo,
Et post bis denos jam quintus voluitur annus,
Rex triplici regno munera bina dedit,
Rex torquem dedit, et post munia longa corollam,
Quam placuit titulis accumulare tuis,
Vt triplici regno triplex respondeat, opto;
Postremum titulos euehat vsque tuos;
Mens generosa, fides, pietas, prudentia, candor;
Hec poteris titulis adnumerare tuis.

¹ The title is “Davidis Humii Wedderburnensis Poemata Omnia. Accessere ad finem Unio Britannica, et Prælium ad Lipsiam soluta oratione. Parisiis, 1639,” small 8vo. “Jacobi Humii filii Davidis Humii, Theagrii Wedderburnensis Carmina,” are introduced into this volume at pp. 139-152.

We have no direct evidence that Sir Robert Kerr, either before or after he was created Earl of Ancram, appeared before the public in the character of an author. Living so much in the literary world, and on intimate terms with some of his countrymen connected with the royal household who distinguished themselves by their works, we might suppose he would have followed the example, for instance, of Sir Peter Young, Sir Robert Aytoun, Sir David Murray, or Sir William Alexander, Earl of Stirling; while Drummond of Hawthornden, in a letter (see p. 519) calls him "the exemplarie of vertue, and the Muses Sanctuarye." If the correspondence that passed through his hands as a confidential servant of Prince Henry and Prince Charles had been preserved like that of John Murray of Lochmaben, "gentleman of his Majesty's bedchamber," and afterwards created Earl of Annandale, it would have been invaluable. In the extensive collection of letters referred to, one of them, relating to the vacancy of the See of St. Andrews, is addressed to Sir Robert by Alexander Forbes, Bishop of Caithness and Aberdeen, in May 1615.¹ One of Sir Robert's correspondents was Dr. John Donne, Dean of St. Paul's, London. In the posthumous volume of Donne's Letters, 1651, there are twenty-four letters addressed by him to Sir Robert Kerr, ten of which are selected and printed, vol. ii. pp. 502-521; but not one of the autograph letters or any of the replies can be discovered.

Horace Walpole, in his *Catalogue of Royal and Noble Authors*, 1758, mentions Lord Ancram's name thus briefly: — "I find a short but very pretty copy of verses from him to Drummond of Hawthornden, one of the best modern historians, and no mean imitator of Livy." This alludes to his *Sonnet in Praise of a Solitary Life* (see p. 522). In sending this sonnet to Drummond, he says, as to his verses, "It is true I get leisure to think few, not that they are

¹ In the Ecclesiastical Letters, etc., printed for the Bannatyne Club, 1851, vol. ii. p. 437. The Primacy, however, was conferred on John Spottiswood, Bishop of Glasgow.

cara because *rara*, but indeed to declare, that my employment and ingine concurr to make them, like Jacob's days, few and evil. . . . The best is, I care as little for them as their fame; yet, if you do not dislike them, it is warrant enough for me to let them live till they get your doom."

According to Drummond's letter (p. 24), while Dr. Donne, in his travels on the Continent, was said to have left his MSS. in the care of Sir Robert Kerr, in like manner he tells us Samuel Daniell, the eminent English poet, bequeathed to Sir Robert his various *scrolls* or papers. "Such legacies (Drummond adds) to some other might be a piece of an epitaph, though not to you that builds your fame on higher seated praise. The theme is too vast for so little paper, and cannot want some excellent wit of the posterity to measure it."

The Metrical Psalms by Sir Robert Kerr in 1624 are now printed for the first time (pp. 487-506). Four of these Psalms profess to be translated from Buchanan. He seems indeed to have taken our great Latin poet as the model of his own paraphrastic versions; and although done for "myne own recreation," they exhibit the work of no unpractised hand.

In the preceding pages I have endeavoured to give a brief sketch or Memoir of the EARL OF ANCRAM. His intimacy with the chief literary men of his time, and the esteem which they manifestly bore him, afford abundant evidence, although no published work bearing his name as author is known, that he occupied a prominent place among them. The position he held at Court, in troublous times, called for more than ordinary prudence; but with undeviating attachment to his Royal Master, and acting always on high principles, his amiable disposition and consistent conduct and accomplishments endeared him to both parties; and while he had to struggle with adversity in the latter period of his life, he bore his trials with so much Christian resignation and fortitude as to present a spectacle that cannot fail to be admired, and is worthy to be cherished by his descendants.

PAPERS RELATING TO PENSIONS GRANTED TO ROBERT,
EARL, AND LADY ANNE, COUNTESS OF ANCRAM.

IT will be seen at page xvi. that King James had granted a pension of £500 to Sir Robert Kerr and his wife, Lady Anne Stanley, upon his return from Spain in 1623. Soon after he had been raised to the peerage as Earl of Ancram, he seems (according to the "State" by the Countess in 1654, p. xliii.) to have obtained from Charles the First a larger pension of £2000. These sums continued probably to be paid in due course until ten years later, when all such matters came directly under the control of the English Parliament.

In bringing together, as an Appendix, the scattered notices on this subject, extending over a period of eleven years, it may be more convenient to arrange them according to their dates in two separate divisions—(1) as Parliamentary Proceedings, and (2) Exchequer Papers.

I. EXTRACTS from the HOUSE of LORDS and the HOUSE of COMMONS
JOURNALS, 1643-1653.

- C. 19 CAR. I. 1643, June 16.—Upon the humble petition of Rob., Earl of Ancram, it is *Ordered* that when the said Earl can find out a conveniency whereby Sir Rob. Pye may pay Five Hundred Pounds to the said Earl of Ancram; that Sir Rob. Pye, upon acquainting the House therewith, shall pay the said Five Hundred Pounds, unless the House shall take Order to the contrary.¹
- C. 19 CAR. I. 1643, June 26.—*Ordered*, that Sir Rob. Pye do pay unto my Lord of Ancram Two Hundred and Fifty Pounds out of the Exchequer, being part of Five Hundred Pounds formerly ordered to be paid to my Lord of Ancram, out of the Exchequer by an Order of [*blank*].²
- C. 20 CAR. I. 1644-5, February 25.—The humble petition of Robt., Earl of Ancram, Gentleman of his . . . Bed Chamber, desiring some allowance

¹ House of Commons, vol. iii. p. 131.

² Ibid. p. 144.

of the pension due unto him, was this day read ; and it is *Ordered*, That it be recommended unto the Committee of the Revenue to pay unto the petitioner Five Hundred Pounds, with all convenient speed.¹

21 CAR. I. August 28.—*Ordered*, That the humble petition of Robert C. Earl of Ancram, this day read in the House, be recommended to the Committee of the Revenue, to consider of an expedient for his present relief.²

Earl of
Ancram's Peti-
tion for Privi-
lege as a King's
servant.

21 CAR. I. 1645, November 15.—Upon reading the Petition of the Earl L. of Ancram, a servant to His Majesty, desiring "the protection of this House as his privilege, in being the King's servant." (Here enter it.)

It is *Ordered*, To be considered of on Tuesday morning next ; and the Proceedings of this House to be considered of, whether privilege in this kind hath not been denied to the King's servants.³

Paper from
Scots Commis-
sioners.

(Same date.)—A Scotch Paper was read, and ordered to be sent to the L. House of Commons. (Here enter it.)

E. of Ancram's
Petition for
Privilege as a
King's servant.

To the Right Honourable the House of Lords, the Petition of Robert,
Earl of Ancram ;
Humbly Sheweth,

That whereas your Petitioner's estate, lying most part of it in Somersett- L. shyre, where he can receive nothing of it, because the Armies have been there so long, the tenants pretend that all they have is taken by the soldiers, and for paying of assessments.

And whereas he hath, out of the Exchequer, a pension for his long service in the King's Majesty's Bed-chamber, whereof he can receive little, for the public charge, as is well known to the Committee of the Revenue ; his creditors notwithstanding do daily importune him, and threaten him with arrests, and imprisoning of his person.

May it therefore please your Lordships to consider the degree he hath in the kingdom where he was born, and in what manner he hath lived in this kingdom as gentleman of his Majesty's Bed-chamber since 1612, year of God ; and though he hath not the privileges of this kingdom, your Lord-

¹ House of Commons, vol. iv. p. 62.

² Ibid. vol. iv. p. 255.

³ House of Lords, vol. vii. p. 705.

ships will be pleased to think it very unfit that he should be obnoxious to the affronts of every common officer who may do him public disgrace.

And therefore be pleased to grant him a protection, for the safeguard of his person and goods, until such time as he may be enabled, by the payment of that which is due to him, to give his creditors satisfaction, whereof he is most careful.

And your Petitioner shall pray, etc.

ANCRAM.¹

- L. 21 CAR. I. 1645, December 24.—*Ordered*, That the Earl of Ancram shall have the protection of this House for his person and goods from being arrested, until Midsummer term next, and all persons whom it concerns are to take notice hereof.² E. of Ancram, a Protection.
- L. 22 CAR. I. 1646, June 2.—*Ordered*, that the Earl of Ancram's protection shall be renewed for six months longer from the date hereof, in regard of the great debt which is owing to him from this state.³ E. of Ancram's Protection renewed.
- L. 22 CAR. I. 1646, November 17.—*Ordered*, that the Earl of Ancram shall have his protection further enlarged for six months longer, from the expiration of the last six months, which ends the 2d of December next ensuing.⁴ E. of Ancram's Protection continued.
- L. 23 CAR. I. Anno 1647, May 20.
To the Right Honorable the Speaker of the House of Peeres *pro tempore*.
RIGHT HONNORABLE, The Earle of Ancram, for many yeares haveing faithfully served his Majesty as Gentleman of his bed-chamber, since the begining of these troubles hath constantly adhered to the Parliament; for which he hath suffered much from the enemy in his estate, whereby he hath bin forced in these tymes to contract greate debts, for maintenance of himselfe, his Noble Lady, and many children; and is now brought to such extremities, as he is neither able to provide for their entertainment, nor to sattisfy his creditors, unlesse the Honorable Houses shal be pleased to give Letter from the Scots Commissioners, recommending the E. of Ancram to have the arrears of his pension.

¹ House of Lords, vol. vii. p. 706.

² Ibid. p. 344.

³ Ibid. vol. viii. p. 65.

⁴ Ibid. p. 568.

order for payment of his Lordship's pension, whereof there is a considerable summe due in arreare. The Parliament of Scotland hath severall tymes recommended his Lordship to the Honorable Houses; and now againe, according to their directions, wee doe earnestly intreate that they wil be pleased to take his condition feariously into consideration, and to appoint such a certaine way for payment of the arrears to his Lordship, and of his pension for the future, as he and his family may be enabled to subsist and to give satisfaction to his creditors, which shall exceedingly oblige your Lordship's most humble Servaunts,

CHARLES ERSKINE

HEW KENNEDY. RO. BARCLAY.¹

WORCESTER HOUSE, the 17th of May 1647.

23 CAR. I. 1647, May 27.—The Lords have received a letter from the Commissioners of Scotland, touching the Earl of Ancram: The Lords approve of it; and recommend it to your consideration. . . The letter from the Commissioners of Scotland, from Worcester House, of Decimo septimo Maii 1647, on the behalf of the Earl of Ancram, was read.

The question was propounded, That the sum of Fifteen Hundred Pounds shall be bestowed upon the Earl of Ancram.

And the question being put, Whether this question shall be now put;

The House was divided—

The Noes went forth,

Mr. Holles,	{ Tellers for the Yea : }	113.
Sir John Clottworthy,		
Mr. Bond,	{ Tellers for the Noe : }	57.
Mr. Boys,		

So that the question passed with the affirmative.

Resolved, That the sum of Fifteen Hundred Pounds be bestowed upon the Earl of Ancram: and that the Committee of the Revenue do pay the said sum of Fifteen Hundred Pounds unto the said Earl of Ancram, accordingly.

¹ House of Lords, vol. ix. p. 199.

- C. *Resolved*, etc., That the allowance of Ten Pounds per week, formerly granted, and ordered to be paid by the Committee of the Revenue to the Earl of Ancram, for his support and maintenance, be continued still to be paid unto him, until the House take further Order.¹
- L. 23 CAR. I. 1647, May 28.—Answer from the House of Commons that they have taken the Earl of Ancram's business into consideration.² Answer from H. C.
- L. (Same day.) *Ordered*, That the Earl of Ancram's protection is prolonged for six months longer, from the 2d of June next.³ E. of Ancram's protection.
- L. 23 CAR. I.—*Ordered*, etc., That the Earl of Ancram shall have the protection of this House, for his person and goods for six months longer, from the second of June next after the date of this Order; and all persons whom it may concern are to take notice hereof, and yield their obedience accordingly.⁴ E. of Ancram's protection prolonged.
- L. 23 CAR. I. 1647, December 1.—*Ordered*, That the protection to the Earl of Ancram shall be renewed for six months longer from the 2d of this instant December.⁵ E. of Ancram's protection renewed.
- L. 24 CAR. I. 1648, May 15.—*Ordered*, That the protection formerly granted to the Earl of Ancram is hereby renewed from the expiration of the date of the last Order, which will be the second day of June next.⁶ E. of Ancram's protection renewed.
- L. 24 CAR. I. 1648, November 21.—*Ordered*, That the protection granted formerly to the Earl of Ancram is hereby continued to him for six months longer, from the 2d of Decemb. next; and that it is recommended to the Committee of the Revenue to supply his wants.⁷ E. of Ancram's protection to be continued, and his wants to be supplied.
- L. Anno 1648[-9] February 5.—*Ordered*, That the Earl of Northumberland be added to the Committee of nine Lords, that are appointed to join with a Committee of the House of Commons, to consider of the settlement Committee for settling the Government.

¹ House of Commons, vol. v. p. 187.

² House of Lords, vol. ix. p. 210.

³ Ibid. vol. ix. p. 216.

⁴ Ibid. vol. ix. p. 221.

⁵ House of Lords, vol. ix. p. 258.

⁶ Ibid. vol. x. p. 550.

⁷ Ibid. vol. x. p. 598.

of the Government of England and Ireland; and the meeting desired to be to-morrow morning, at nine of the clock.¹

The House, on the 6th, adjourned till the 10th of that month; but no subsequent meeting seems to have taken place.

1648-9, February 6.—*Resolved*, etc. That the House of Peers in Parliament is useless and dangerous, and ought to be abolished: And that an Act be brought in to that purpose.² C.

1648-9, February, 7.—*Resolved*, etc. That it hath been found by experience, and this House doth declare, That the office of a King in this nation, and to have the power thereof in any single person, is unnecessary, burdensome, and dangerous to the liberty, safety, and publick interest of the people of this nation, and therefore ought to be abolished: And that an Act be brought in to that purpose. C.

Ordered, That it be referred to the same Committee that is to bring in an Act for abolishing the House of Lords, to bring in this Act: And the Lord Grey and Mr. Challener are added to that Committee: And the especial care hereof is commended to Mr. Lyffe.³

1648-9, March 17.—An Act for the abolishing the kingly office in England, Ireland, and the Dominions thereunto belonging, was this day read the third time:

Ordered, That the Sheriff of London and Middlesex do forthwith cause the Act for abolishing the kingly office in England, Ireland, and the Dominions thereunto belonging, to be proclaimed in the Palace Yard, Westminster, Cheapside, and the Old Exchange.⁴

Anno 1653, September 19th.—Colonel Rous reports from the Committee for petitions, The humble Petition of Lady Anne, Countess of Ancram: Which was now read, together with the opinion of this Committee; That in consideration of the pension allowed by the late Parliament, which a stop hath been made of, as to the payment of the pensions, something may be allowed her, for her present subsistence, until the Parliament can be in better condition to take her Petition into further consideration. C.

¹ House of Lords, vol. x. p. 650.

² House of Commons, vol. vi. p. 133.

³ House of Commons, vol. vi. p. 132.

⁴ Ibid. p. 166.

Resolved that a pension of Five Pounds by the week be charged on Goldsmiths' Hall, and Haberdashers' Hall, and either of them, to be paid to the Lady Anne, Countess of Ancram, until the House take further Order: And that the Commissioners for compounding be authorised and required to issue their warrants to the treasurers of those receipts, and either of them, to make payment of the said pension weekly, from time to time, unto the said Lady Anne, Countess of Ancram, or her assigns: And that the acquittance and acquittances of the said Lady Anne, Countess of Ancram, or her assigns, shall be sufficient discharge to the said treasurers, and either of them, for the same.¹

II. EXCHEQUER RECEIPTS of the EARL of ANCRAM for his Pension, etc., 1647-1654.

It is but too well known that several years ago the large accumulation of old Exchequer papers in London was foolishly ordered to be mutilated before being destroyed or sold as waste-paper. The expenses of such mutilation exceeded the sum the papers realised. But in this dispersion many important historical documents were discovered, more or less mutilated, and English autograph-collectors were eager to secure such papers; and on different occasions I obtained some lots at later sales, which included various receipts and papers connected with the pensions granted to the Earl and Countess of Ancram.

A note of these Exchequer receipts and papers may be added, each of the former being signed ANCRAM. These, and others in similar terms, which I have seen, indicate very distinctly the difficulty experienced by Lord Ancram in getting money even as partial payments of his pension.

(The following receipts are now among the Lothian Papers at Newbattle:—)

1647, July 20.—Received by mee,*Robert, Earle of Ancram, of Thomas Ffaulconberge, Esq., Receyvver-Generall of the Revenue, the sum of Ten pounds upon my weekly allowance of x li., etc.—I say received,

ANCRAM.

¹ House of Commons, vol. vii. p. 320

1647, July	29.—Received, etc.	.	.	.	£30	0	0
October	4.—Received, etc.	.	.	.	50	0	0
October	5.—Received, etc.	.	.	.	10	0	0
October	28.—Received, etc., in part of that V ^o lib. bestowed on mee by the House of Commons, by Warrant from the Committee of the said Revennue				20	0	0
November	19.—Received, etc.	.	.	.	50	0	0
December	1.—Received, etc.	.	.	.	80	0	0
1647-8, Feb.	5.—Received, etc.	.	.	.	50	0	0
1648, November	18.—Received, etc.	.	.	.	25	0	0

(The following papers are in my own possession :—)

[July 1654.]

(1.) THE TRUE CASE OF THE COUNTESSE OF ANCRAM, etc.,¹ is partly expressed in the Printed paper annex,² but since that was drawne, her condition is as followeth :—

1st. The Parliament did in September last, on her petition, appoint £5 weekly out of Goldsmiths' Hall for her present support, which, through the good hand of God, hath prevented the perishing of her selfe and 4 children at home with her untill the 20th June last, when the order of Exchequer putting a stopp thereon, hath reduc't them to inexpressible streights, & if not renewed, endangers their very starveing.

2^{dly}. About 3 months since, a petition was presented his Highnesse, and most kind reference was made thereof to the Councell, who referring it to a Comittee, their Report lyes drawne up in Mr. Jeffop's hands for the Lord Strickland to make foe soone as other weightier affaires will permitt, and when that may bee call'd for, the substance of these things will be found therein, (viz.)

1st. That in consideration of a jointure, the £2000 per annum was fetled on this Lady, and for almost forty yeares seruice by the Earle, confirmed on him after her life.

2^{dly}. That last September there was areare thereof about £21,000, and that theire two liues being valued but as one (both being antient), at five yeares consideration, did make the debt computed to be £31,000; as well assur'd as the laws of England could establiish at that time of its first granting.

3^{dly}. Its there humbly propof'd, in regard of the greatnes of these debts and extents on the Ladye's jointure (by a former husband) being then conceived about

¹ Indorfed : *The Case of the most afflicted Countesse of Ancram and HER FAMILY.*—
R. 14 July 1654. Ordrd 21 Aug.

² The printed paper here mentioned has not been recovered.

£4000 (and now more narrowly lookt into, found to be £5520), and yet £1000 ready money might releave her estate for the present, That out of Doubled monyes or Deanes and Chapter's lands, Goldsmiths Hall, or any other certaine Treafury, that the said £1000, or at least £800 thereof, might be paid immediately, and the remaining £30,000 allow'd out of the first discoveries, or paid as other publique faith; if Scotch, Irish, or Forrest Lands shall not be thought convenient.

4^{thly}. But if beggars may be admitted to be choosers, or officers besides that, report may bee tendred, that though soe great a sume as £30,000 be mencioned, yet it's not imagined above £10,000 thereof will ever bee made good, if allow'd. And therefore, £10,000 any where certaine to be had, wil be as much as that propos'd, soe it may be affixt either at the Prize-office, Additionall Excize, or the Remainder of Deane and Chapter Lands after all charg'd thereon be satisfi'd, still provided these first £1000 being paid in hand, they may be in a capacity to subsist and to prosecute the effecting of such Donations.

5^{thly}. The reason of such large propositions (setting aside their legall right that might be pleaded), is the said debt of £5500, without payment of which the Earle lives in a most necessitous banishment, and there being six children, viz. two Sonnes, four Daughters, without any provision at all, either from their parents or any other, a lesse proportion cannot prevent their miseryes.

Obj. 1st. It's true the Lady Vere is marryed, but her husband's estate most engag'd for her Father's and Mother's supply farr beyond their abilities.

Obj. 2^d. The Lord Carre lives high and seems not to want, but it's on the incom's of that which should supply the rest; and besides, there is a story concerning him, as long as all this, which at a fitting time may bee imparted, if the Almighty God shall incline those in authority to pittie his Soule & this Familye's wants. But in the interim without this £5 a weeke, the £1000 for present and the remainder's settlement, they are the most miserable objects for compassion in England.

The most mercifull God stirre their gracious Protectors and deliverers, sayth their sollicitous friend and Servant.

[No date.]

(2.) SOME PROPOSEALLS humbly tendred on the behalfe of the
EARLE of ANCRAM and his COUNTESSE.

That in regard of their extreame necessitys through want of that debt of £21,286 : 13 : 4 (the State hath had the use of), they lying under great executions for debt, as in their Petition referr'd by his Highnes to the honorable Councell may more at large appere;

It's humbly offered—

1st. That to remove the extents on their only estate which is but a part of a jointure (left the Lady by a former husband), and at her death goes to another family,

their extremity craves that an order may be granted of the money that comes in on Deane and Chapter's Lands, Goldsmith's-Hall and Drury-House, or such other provided treasury as shall be thought meete, for payment of £1000 or £800 to trustees for them, whereby the extents aforesaid may in some measure be soe removed as that a little help from that estate before mentioned might be had soe long as God shall spare the life of the said Countesse.

2/y. That insupportable misery attending them, unlesse speedily releived against future impending dangers, it is further humbly desired, that in lieu of the remainder of their arreares (of £21,286 : 13 : 4 with the valuation of £2000 passed for two lives, so just a publique debt), may be allowed & settled in trust for them, some reasonable consideration out of the Forest Lands, Discoverys, or such other effectually way, as shall be thought taxable of being some provision for two sons & 4 daughters of their condition, yet wholly unprovided for.

[No date. 1654.]

(3.) To his HIGHNES the LORD PROTECTOR of England, Scotland, and Ireland—

The humble petition of ANNE, COUNTESSE of ANCRAM,

Sheweth,

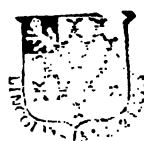
That on your Highness' speciall recommendation, the last Parliament granted your Petitioner a pencon of £5 a weeke out of the greate debt now depending before your Highness and your most honourable Councill in satisfaction. That by the Treasurers of Goldsmiths' Hall it hath beene well paid untill this late order from settling, the Exchequer is conceived by the said Treasurers to put a stop thereunto, untill your Highness' further pleasure be signified unto the Exchequer.

Your Petitioner and family (being in soe distressed condicion as not to have any other support besides), humbly prays for the present, that the report of your Petitioner's whole busines which lyes in the Lord Strickland's hands may be call'd for, and receive such a gracious dispatch as to your Highness' goodness and justice shall seeme meete, their miserable and distressed condicon being taken into consideration.

And your Petitioner shall pray, etc.

Indorsed: *The Petition of Anne,
Countesse of Ancram.*







WILLIAM, THIRD EARL OF LOTHIAN

From the original by Jamieson at Newcastle Abbey.



MEMOIR
OF
William, Earl of Lothian.



IN the preceding Memoir it will be seen that the eldest son of Sir Robert Kerr of Ancram, by his first wife, Elizabeth, daughter of Sir John Murray of Blackbarony, was William Kerr, who was born about the year 1605. No record has been discovered of the precise date, nor any information respecting his early years. From the letter addressed to him by his father, dated St. James', March 29, 1621, we learn he was then prosecuting his studies at one of the colleges at Cambridge. He was at that time, we may suppose, about fifteen years of age, and had for his tutor a Mr. Curwen. His name, however, is not found in the records of the University, having, probably, been sent abroad, or at least not having remained a sufficient time to qualify him for taking the degree of M.A.¹

The next notice of William Kerr occurs in another letter from his father, dated April 24, 1624, and addressed to him in Paris, sending him transcripts of his metrical translation of some of the Psalms, which are printed for the first time in the Appendix at page 487.

Among the manuscripts at Newbattle there is a thin folio volume in the handwriting of William Kerr, containing a Journal of his travels through France to different parts of Italy and Switzerland,

¹ For making this search I was indebted to the obliging kindness of Professor the Rev. John E. B. Mayor, M.A., of St. John's College.

with this title, *Itinerario fatto anno 1625, ch'era quello dal Fubeleo Urbano Oclavo Papa, Barberini*. It is therefore most likely that his father, having sent him to Paris to complete his education, permitted him before returning to his native country, to enjoy an opportunity of visiting the different parts of the continent noticed in this Journal. Accompanied no doubt by a tutor or some companions (although no names are given), he set out from Paris November 6, 1624, and, passing through various towns, including Lyon, Chambery, and Modane, he came to St. André, "where we were hurl'd in sledges down the hill to Lannoburg (Lansle-bourg), at the foote of Mont Cenis," and proceeded onwards to Turin, which is described, and from thence to Milan, Modena, Bologna, and Florence. An extract from his description of the latter town may be given as a specimen of this Journal:—

"FLORENCE.—This toun is seated on a valley having the river Arno running thorow it, over which ther ar foure fair bridges of stone. This toun is encompaffed with a band of hills as with a half moone onlie on the west fyde towards Pisa and the sea. The valley is verie pleasant and fertile, so that for some foure or fyve leagues euerie way round about the toun, the houses of pleasure and villages make as it were one continued toun. On the hill fyde the Duke hath a fyne house called Pratalino. It is worthely called "la bella," being the fynest and best built toun in Italy; the streets are very fair and have many gentlemen's houses, the which makes the towns of Italy to surpafs all the world, because the gentlemen live altogether in the cittyes. Ther ar many fair market places, as that by the old palace, where there is a curious fountaine, with many statues in brafs and stone, especialie that of Cosmo de Medici, and in another, by the church of Annunciate, the statue of Ferdinand, the last Great Duke. In the great piazza stands the church of St. Michael; without the church are the statues of our Saviour and his 12 Apostles in brasse. The old Palace is a verie fair one, but yet the Duke doth not live in it, but hath a Gallery which comes from his owne to it, which is a quarter of a myle and crosses the river. In this palace there is a gallery of 150 paces long, full of statues to the number of 170 litle and great, all old Romane statues, as that of Scipio Africane at length in brasse; of M. Aurelius, Trajan, Adrian, Tully, in stone. Ther are the pictures of all the Dukes and Dutcheffes, and on one fyde of the Gallery the pictures of all the famous men of armes, Christians, Moors, and Turks; and on the other fyde all men famous in learning of the aforefayd nations. Within that gallery there is a very curious cabinet, so full of curiosities and antiquities that I cannot remember half of them. There is a head of a turques

bigger than both my fists, many cups of amber, cristall of the rock agat, mother of pearle. There is a verie rich cabinet, set the outsyd with diamonds, saphires, rubies, emeralds, and all other precious stones. They say it is richer within, but I did not see it," etc.

After passing through Sienna, he reached Rome on the 22d of December, being Sunday, in time for the opening of the Jubilee—which took place on Tuesday the 24th. He describes the ceremonies on that occasion, and the various reliques exhibited in St. Peter's, "the finest and greatest church in Italy." Among the fair pillars within the church "there are eight at the great altar, curiously carved, which were brought from Solomon's temple." Adjoining is "the Pope's palace (called Belvedere, because of its pleasant prospect on the river and the gardens), having four courts. In the first court there is a chappell, called Sixtus his, which serves for the Conclave, where is the Day of Judgement paynted, counted the best peace in the world, by Michaell Angelo." This is followed by a long description of Rome, its churches and environs. Having proceeded south by Terracina and Capua, he came to Naples; from whence he returned, visiting the other chief towns of Italy, including Bologna and Venice; and having crossed St. Gothard, he found his way through Switzerland back to Paris.

A sad and tragical event occurred about this time which requires a brief notice—viz., the death of Robert, second Earl of Lothian, "a person of great spirit endued with excellent parts."¹ Calderwood, in

¹ In the "*Memoirs of his own Life and Times*, by Sir James Turner" (Bannatyne Club, 1829, page 14), is prefixed an account of his manuscripts, in which mention is made of "Ane Elegie on the Death of the Earle of Lothian. Designed by William Douglas of Tofts." In the "Argument" (which is there printed) Sir James states he had obtained it from "Archibald Douglas of Lumsden, brother to this Tofts," in a very imperfect state, and thus details the circumstances of its production:—"It wants but a few years of halfe ane age since the Earle of Lothian's death made a great noyse in the world, the strange manner of it furnishing matter of strange discourse to people of all ranks and qualities. He was a person of a great spirit, endued with excellent parts. He had seene the most renowned places of Europe. Naturally curious he was, which perhaps made him studie astrologie. He made choyce of William Douglas of Tofts to be his friend, his confident, and his *alter ego*. This was a gentleman of a

his *History of the Kirk of Scotland*, alludes to it in the following manner :—" Upon Satterday, the 6th of March [1624], Sir Robert Ker, Earle of Lothian, went up earlie in the morning to a chamber in the Place of Newbottle, pretending he was gone to lay accounts and write missives, and commandit that none should come toward him for an houre. He barreth the chamber doore, and cutted his owne throate with a knife, efter he had given himself fundrie wounds with his dagger. Some imputed this desperate course to the great debts which were lying on his hands; others, to consulting with magicians and witches."¹

Robert, Earl of Lothian had obtained a charter of the lordship of Newbattle, with a *novodamus* in favour of his heirs-male, February 3, 1620, but, not having any male issue, he succeeded in obtaining a re-grant by a new charter, dated March 29, 1621, which extended its provision to heirs-female. It begins—

" JACOBUS, etc.—*Sciatis nos dedisse et confirmasse nostro consanguineo et consiliario Roberto Lothianae Comiti, Domino Ker de Newbottle et Morphet, et heredibus suis Masculis de corpore suo legitime procreandis, Quibus deficientibus ejus heredi Feminae natu maximae de corpore suo procreatae seu procreandae, absque divisione,*" etc.²

In virtue of this charter his eldest daughter, Lady Anne Kerr, succeeded as Countess of Lothian in her own right.

Among the "Lothian Papers" is preserved a "Summonds of Speciall Declarator, Sir Robert Ker against the Tennents and Feuors of the lands of Newbattle," dated October 7, 1625, also a "Summons of Improbator, Sir Robert Ker against the Countess of Lothian,"

good spirit, generous, and learned *in omni scibili*, especially in the mathematicks, wherein he had attained to so great a perfection that he had no equal in his own countrey, perhaps few in Christendome. As intimate as he was with the Earle, it is clear enough, by his owne complaints, that he was not entrusted with the secret of his death. He either finished, or intended to finish, the composition of an Elegie on this sad subject."

¹ Wodrow Society edition, vol. vii. p. 595.

² Registrum Magni Sigilli, lib. xlix. No. 225.

dated January 18, 1627, from which we learn that in consequence of the untimely end of Robert, Earl of Lothian, "all and findrie guidis, geir, moveable and immoveable, takis of landis and teyndis," etc., had, as usual, reverted to the Crown, and that the said Sir Robert Ker "had be gyft of our umquhill dareft father (King James) of worthie memorie" received "the escheit of all gudis, geir, taks of tyends, and utheris quhilkis pertinit to the said umquhill Robert, Erle of Lowthian, the tym of his deceis, in maner mentionat in the gift maid to him." From this it appears that the Newbattle property was to a certain extent under the control of Sir Robert Kerr of Ancram, which may have conduced a few years later to the fortunate alliance by which the two families became united in the persons of Sir William Kerr and Anne, Countefs of Lothian.

Sir William Kerr had hitherto evinced no inclination either to follow the life of a courtier, or to enter upon a literary career. The example of many of his friends and countrymen, who, during the pacific government of James, engaged in foreign service in the Netherlands, or under Gustavus Adolphus, may have had no small influence in his choice of a military profession. It was assumed from the letter at p. 44 that he had accompanied George, Duke of Buckingham, in his ill-fated expedition to the Isle of Rhé on the west coast of France. The Duke, as Admiral of the Fleet, and Commander-in-Chief of the land forces (for neither of which had he any qualifications), set sail from Portsmouth, June 27, 1627, and appeared before La Rochelle, but eventually landed on the Isle of Rhé,¹ towards the latter end of July. He soon sent a pressing message for reinforcements, asking "not only to hasten the sending away of 6000 English, Irish, and Scottish already levied, but also to pres for a further supply of 7000 more."² Accordingly, on the 17th of August 1627, the King addressed a letter to the Lords of Privy Council, authorising the Earl of Morton to levy a regiment of 2000 footmen, under his command, "to

¹ See note to p. 44.

² *Court and Times of Charles I.*, vol. i. p. 267.

be transported to France for our service.”¹ We learn from the authority already quoted that “the 200 [2000] Scottish, whereof the Earl of Morton hath the leading, were to embark on the 20th September, and to take their arms at Dover. On the 17th October, it is said “The Earl of Morton is expected at Court this day, his Scottishmen being upon the Coast to receive their arms at Dover, whom the King doth haften as much as he can after the English, that are setting out from Plymouth.”² But it was too late to render the Duke any assistance; for the same writer, when narrating the disastrous end of the expedition (November 14), adds—“For the Scottishmen which were come before Portsmouth, and their Colonel, my Lord Morton, who was commanded away two days since from hence, *they shall save their further journey.*”³

In the following year the Duke, when preparing to set out to retrieve his character, with a fleet of 150 vessels and a large land force, was assassinated at Portsmouth by Felton, August 23, 1628. The Earl of Lindsey, who succeeded the Duke as Admiral of the Fleet, was accompanied by the Earl of Morton as Vice-Admiral, and Sir William Kerr, with his company, formed a part of the forces under his command. Unable to effect a landing on account of contrary winds, the fleet could do nothing; and hard pressed by the French army, Rochelle was at last compelled to yield, “after the lamentable death, by famine, of 7000 of her inhabitants.”⁴ In his letter, November 11, Sir William Kerr relates that after a stormy and disastrous voyage they arrived on the 9th, and in a letter from Mr.

¹ On this head I may notice a poetical tract entitled “Encouragements for the Warres of France to excitate, etc., Noble men, Gentlemen, and courageous Scottes, etc.” By William Douglass, North Britain. Edinburgh, printed by John Wreittoun, 1627, 4to, dedicated to William, Earle of Mortoun, etc. Of this tract only one copy is known, preserved in the library of S. Christie-Miller, Esq., Britwell House. On examining it recently, I conclude it was the production of William Douglas of Tofts, and not of his namesake the Advocate, called “The Poet,” author of *Grampius’ Gratulation to King Charles, etc.*, Edinburgh, 1633, 4to.

² *Court and Times of Charles I.*, vol. i. p. 276.

³ *Ibid.* p. 284.

⁴ *Ibid.* p. 422.



Pory to the Rev. Joseph Mead, November 14, 1628, it is said—"My Lord of Lindfey and his Vice-Admiral, the Earl of Morton, are come on shore."¹ It is scarcely necessary to add that these expeditions, instead of aiding, proved most disastrous to the French Protestants, who had occupied La Rochelle as their chief stronghold for nearly half-a-century.

Sir William Kerr was engaged in another expedition in aid of the States General against the Spanish forces, when Bois-le-Duc in North Brabant, a province of Holland, was besieged by Henry, Prince of Orange, and was forced to capitulate on September 14, 1629, after a siege of five months. On the 19th of that month he writes, "Now I go up to Arnheim; what we do ye shall know."

On Sir William Kerr's return to Scotland in 1630, some previous arrangements were completed for his marriage with Lady Anne Kerr, the youthful Countess of Lothian.² It took place, we presume, not later than January 1631. It was, no doubt, through his father's influence he was advanced to the peerage by a new grant as Earl of Lothian, June 23, 1631. Some delays in settling the terms of the patent seem to have occurred; and the next brother of Robert, second Earl of Lothian, Sir William Kerr of Blackhope, claimed the title as nearest heir-male, notwithstanding the charter re-granted, which settled the honours on the Earl's eldest daughter. According to an Act of Council relating to the Earldom of Lothian, dated Whythall, 28th October 1631, Sir William Kerr of Blackhope was interdicted from assuming the title by the Lords of Privy Council, March 8, 1632.

The young Countess, on succeeding to the estates of Newbattle,

¹ *Court and Times of Charles I.*, vol. i. p. 426.

² In the business letters of Mark Cals of Cockpen to Sir Robert Kerr he writes as follows:—

1627, Aug. 29.—"Out of the affection I have to the standing of the house of Newbottill in Lady Anne and your Sonne's perfoun (gif any sic match be intendit)," etc.

1628, Nov. 29.—"Your Sonne's employments in the warres, a most sufficient excuse."

1629, Nov. —"Now that he is returned recovered, the marriage to be completed."

found them heavily burdened with debt. Sir Robert Kerr, upon his son's marriage, with a generous spirit, as we have seen, redeemed "the Lordship of Newbottle out of their hands who had comprised the same for the late Erle's debts, and by adding his own estate and other competent meanes, wherby of a perplexed and almost ruined estate, by God's assistance he hath made it capable of the former dignitie; haveing also provydit a portion to the Lady Jeane, the late Erle's younger daughter."¹

From this time, the Earl of Lothian, for some years, led a peaceful life at home; but a busier time was at hand, and he was perhaps insensibly led to take a greater share in public matters than he ever anticipated. The King, as previously noticed, had determined to force Episcopacy on the people of Scotland; and his resolutions on this subject were strengthened by the intemperate zeal of Archbishop Laud, and some of the Scottish prelates, in regard to doctrine as well as to forms of worship and of church government. The Earl of Lothian may at first have been influenced by his friends and relations the Earls of Rothes, Balmerino, and Argyll; but his own strong conviction of the dangerous course which the King had so unwisely adopted led him to take a decided part in the subsequent proceedings of the Covenanters.

The first public manifestation against innovations in the forms of public worship by the use of the Service Book, prepared by Archbishop Laud, was the tumult in St. Giles's church on Sunday, July 23, 1637. The enactment of the five Articles of Perth had been in opposition to the general feeling of the ministers and their people; while the book of Canons would have been resisted by the great majority of the Presbyterian clergy, if they had retained their power, in free General Assemblies. The civil offices and powers conferred on the Scottish Prelates were viewed with jealousy, while the proposed transfer of abbeys and their revenues to the Bishops with a kind of supreme control, was naturally opposed by the nobility and other landed proprietors,

¹ This Act of Council, October 28, 1631, is printed at p. 488.

who, as titulars of teinds, had secured for themselves grants of Church lands from the Crown after the Reformation. All these circumstances, combined with the powers assumed by the Scottish Prelates, gave importance to this accidental uproar.

The King, in his instructions to the Privy Council, directed them to investigate the cause, and to punish the instigators of this "uproar." They declared, it proceeded from a number of rude and base people, chiefly women, in the persuasion that when the reading of the new forms of prayer began, it was little else than bringing back the ceremonies and ritual of Popery.¹ The effects which this produced could not have been foreseen, as the use of this Service Book was the means of creating a ferment throughout the land, when the smouldering embers broke out into a flame, not to be extinguished during the King's reign. Some of the leading Covenanters were at first reluctant to join in any course tending to a forcible resistance of the Sovereign. Sir Robert Kerr, now Earl of Ancram, from his position at Court, could not but be apprehensive at such proceedings; and Lord Lothian, October 3, 1637 (referring to a letter not preserved), says, "the end of this letter bids me carie myself warily in these broyles, which I shall doe by all the little judgment I have; but they increase wonderfully, as yow have heard long ere now of the passages of the Counsell day." But still, until this period, there is no evidence of his having shown any disposition to act in opposition to the King; his whole conduct would rather warrant a different conclusion.

The Supplications against the Service Book, which came pouring

¹ In Row's *History of the Kirk* it is said, "When the nixt Sabbath, Julie 23, came, the Bishop of Edinburgh (after that the ordinar prayers had been read in the morning), about ten o'clock brought in the Service Book to the pulpit, and his Dean satt in the reader's seat with his Service Book before him in the Great Kirk of Edinburgh . . . Now, so soon as the Bishop did open his Service Booke, and began to read thereon, and the people perceaving the Dean opening his book also; all the commone people, especiallie the women, rose up with such a lowd clamour and uproare, so that nothing could be heard; some cryed, 'Woe, woe!' some cryed, 'Sorrow, sorrow!'"—(*History of the Kirk of Scotland*, Wodrow Society edition, 1842, p. 408.)

in to the Privy Council, and the King's unsatisfactory answers, made it evident the time had at last arrived when the adherents of the Church of Scotland required to change their testimony from a *passive* to an *active* state.

As the Privy Council had agreed to hold a meeting, October 18, to announce the King's reply to the Supplicants, the streets of Edinburgh on that day were crowded by persons of all ranks, from every part of the country. The result was a second tumult, when the Treasurer (Lord Traquair), the Provost of Edinburgh (Sir John Hay), and the Bishop of Galloway (Sydsel), who had rendered themselves very obnoxious to the people, were threatened to be stoned or torn in pieces by the mob; and a message was sent to a meeting of the nobility, requesting some of their number, best known, to come for their protection, and escort them to a place of safety. In this way Lord Lothian, in his letter, October 27, says, "My Lord Rothes put himself on one side of the Bishop, and I on the other," and succeeded in conveying him safely down the street. No wonder that the reports of such tumults had alarmed the Earl of Ancrum, as giving warning, like the reverberating echoes of distant thunder, of a coming tempest. In the letter referred to, the Earl of Lothian makes no allusion to the fact that he himself was one of twenty of the nobility who had previously signed the Supplication to the Council on the 20th of September.

The Supplicants resolved to hold an adjourned meeting in Edinburgh, for the purpose of renewing their petitions, November 15, and on this occasion a still greater convocation took place. The Privy Council became alarmed, and wrote to the nobles, endeavouring to persuade them that their frequent meetings, and in such numbers, were alike informal and illegal. The petitioners had no difficulty in answering this accusation, at the same time signifying that, as the redress of their grievances would take up some time, they were willing to choose Commissioners from the whole body to attend his Majesty's answer to their supplications. The Privy Council, being afraid of

fresh tumults, or greater evils, that might arise from such great concourse of people, were content with this proposal. In order therefore to secure united action, and to counteract the Council's proceedings, a certain number of Commissioners were appointed from the four classes, the Nobility, Gentry, Burgeses, and Ministers, who should represent the whole Supplicants, and sit in four separate apartments in the Parliament House, each rank consulting by themselves; hence, says Row,¹ they were called THE TABLES; while "the enemies of the good cause, the cause of God, called all their meetings and supplications Treason and Rebellion." The Commissioners accordingly sat at their respective tables, and arranged all the proceedings, and issued the necessary instructions, which were observed with great alacrity.

The most important resolution of The Tables was, the expediency of adopting the former religious Covenant or mutual Bond for the maintenance of the true Religion. the protection of the King's person, and their own defence, as contained in the National Confession of 1580, in which the errors of Popery were abjured, with such alterations or additions as were applicable in their present emergency. The signing of this National Covenant was inaugurated with great solemnity at the Greyfriars Church, February 28, 1638. Copies written on large sheets of parchment were prepared and forwarded to all the principal towns and parishes throughout the country to obtain signatures, these copies being signed at the top by the leading Covenanters at the different Tables, as an example to others. Among the names of the nobility, which usually occur on the first line, are, ROTHES, LOUDOUN, CASSILIS, LOTHIAN, DALHOUSIE, HOME, ELCHO, MONTROSE, etc. A considerable number of copies written by Notaries, in various styles, with signatures, are still preserved.²

¹ *Historie of the Kirk, etc.*, edit. 1842, p. 486.

² Facsimiles of some of the copies have been published; one of these forms No. xcvi. in Vol. III. of the *National Manuscripts of Scotland*, 1871, large folio. In the *Proceedings of the Society of Antiquaries of Scotland* (vol. iv. pp. 232-50) I gave a detailed account of most of the copies that were known. It was read May 1847, but not printed till 1862.

The King in vain endeavoured, by proclamations, threats, and other means, to temporise with the Supplicants or Covenanters (a name first given them by their opponents); his Majesty being as resolute as ever to enforce the adoption of the Liturgy, and to preserve the powers conferred on the Bishops for the continuance of Episcopacy in Scotland. But his proclamations were always met with counter-protestations, and his threats were disregarded. At length he found himself constrained to address a letter to the Lords of Privy Council, revoking his former injunctions, which James, Marquess of Hamilton, his Majesty's Commissioner, produced at a meeting held at Holyroodhouse, September 22, 1638. It begins,

CHARLES R.—Seeing the cause and occasion of all the distractions which have happened of late both in Church and Common wealth of this kingdom have proceeded from the conceived fears of innovation of Religion and Lawes, to free all our good subjects of the least suspicion of any intention in us to innovate any thing either in religion or lawes, and to satisfy not onely their desires, but even their doubts: We have discharged, and by these presents doe discharge, the Service Booke, Booke of Canons, and High Commission, and the practice of thame or any of thame, and by these presents annuls and rescinds all Acts of Counsell, Proclamations, and other Acts and deeds whatsoever that have beene made or published for establishing thame or any of thame: And declares the same to be null and to have no force nor effect in tyme coming. And being informed that the urging of the practice of the five Articles of Perth Assemblie has bred great distraction and division with Church and Estate, We have been graciously pleased to take into our consideration, and for the quiet and peace of Church and State doe not onely dispense with the practice of the said Articles, but also discharge, lyke as by these we doe discharge, all and whatsoever persons from urging the practice thair of upon other laick or ecclesiasticall person whatsoever."

In terms of this letter and the Acts of Privy Council that followed it, a free General Assembly of the Church was indicted to meet at Glasgow, November 21 following, and a Parliament was also summoned to be held at Edinburgh, May 15, 1639.

The Assembly accordingly met at Glasgow on the 21st of November 1638. The Earl of Lothian was a member, having been chosen as ruling elder for the Presbytery of Dalkeith. It was in

vain that the Marquess of Hamilton, who presided as High Commissioner, on finding he could not control their proceedings, attempted, in the King's name, on the 29th to dissolve the Assembly, as the members continued their meetings in defiance of the King's authority, which denounced them as liable to the penalties of treason. During twenty-seven successive sessions or meetings, the Assembly not only re-established the Presbyterian forms of worship and Church government, and declared by a special act, that Prelacy having been abjured by the Confession of Faith, it be removed out of this Kirk ; but with a bold and resolute spirit they proceeded to summon Archbishop Spottiswood and the other Prelates to appear, in the process that was raised against them, upon a variety of grievous charges. A sentence of deposition and excommunication was solemnly pronounced against each of the "*pretended*" bishops and their chief adherents.

These proceedings could not but be highly resented by the King, and in the following year he determined by forcible means to compel the obedience of his refractory subjects. Although his army for that purpose amounted to about 16,000 men, the Covenanters were not taken by surprise, and the troops which they assembled under the charge of experienced military commanders, on Dunse Law, in June 1639, were more than sufficient to render any hostile measures of the Royalists quite hopeless. A Pacification was accordingly prepared and signed in the Camp near Berwick ; and other meetings of the General Assembly and of Parliament were appointed to be held at Edinburgh in the month of August following, to which all matters in dispute were referred. The termination of such a contest without bloodshed was most remarkable. Well would it have been, both for himself and for the prosperity of his Kingdoms, had Charles adhered to his professed agreement, and relinquished all further interference with Church affairs in England as well as in Scotland. But his evil destiny prevailed, with results that never can be forgotten.

In the "Annales of Scotland," by Sir James Balfour, Lord Lyon, there are some incidental notices relating to the Earl of Lothian about this time, either not mentioned, or but slightly, in his correspondence, which may be quoted:—

"1639, March 21.—The Castell of Edinburgh was taken by the Lords Covenanters. . . . On Saturday the 22, some of the cheiffe Covenanters, viz. the Earles of Rothes, Home, Louthean, with the Lordes Yester, St. Claire, and Balmerinoche, went to Dalkeithe, and with them a 1000 commandit musqueteires. They no souner presented themselves befor the house, bot the Lord Thesaurer Traquair, keiper therof, furthwith delivered it to them. They searched all the rounes therof for armes, etc. . . . On Monday the 24 of this same month, lykwayes from Dalkeithe they brought the royall enseinges of the Kingdome, Croune, Suord, and Scepter, and that with great solemnity and pompe, and put them wp in Edinbrugh Castle.

"1639.—About the 24 of Junij the King commandit the Lyone to post to Edinbrughe, and ther to publishe his Declaration; which he did the 26 day of the same month, with very great solemnity, assisted by the Magistrates of the City. The Lyone had no sooner ascended the Crofs but he found standing there the Earls of Rothes, Cassilis, and Lothian, with the Lords Lindefay, Boyd, and Balmerinoch. The publication finished, and the Lyon about to depart, the Lord Lindefay said that he was come there in name of the Nobility, Gentry, and Commons, to give his Majesty most humble and hearty thanks for his gracious Declaration, and withal did desire the Lyon to take notice and advertise his Majesty, that he, in name of the rest, did adhere to the Assembly of Glasgou, in so far as was communed betwix his Majesty and the Commissioners in his Majestie's camp at the Berwick-on-Tweed; and then offered him a paper, which he refused, and so departed."

"The King almost until the middle of July resided in Berwick, and disbanded his army. . . . While the Court remained at Berwick there was a Court-trap laid to catch some of the prime Covenanters. The King is made, by the corrupt Councillors about him, to write letters, full of alluring and kind expressions, to Argyle, Cassilis, Lothian, Balmerinoch, and eight more, to repare to his Majestie's Court, at Berwick, in respect he had divers business of great consequence, concerning the peace of his kingdoms, to advise with them; but they, smelling the rat afar off, were secretly advertised by their friends to look to themselves, and to come no nearer Berwick at this time, as they would evitate and eschew an unfallible and most certain destruction. The Lords, by their letters, did excuse their not attending his Majesty at that time for divers respects."

The repose that followed the Pacification at Berwick proved to be merely temporary; and before the time for holding the General Assembly had come round, there appeared, in the King's name, "A

Large Declaration concerning the Late Tumults in Scotland”¹ which could not fail to occasion much excitement among the Covenanters. The volume was published in 1639; the ostensible author was Walter Balcanquhall, D.D., Dean of Durham, assisted, it was said, by Archbishop Spottiswood and Maxwell, Bishop of Ross. According to Baillie’s letter, September 28, 1639, “That unexampled Manifesto, which, at Canterburie’s direction, Balquanquall, and Roffe, and St. Andrewes, had penned, was now printed in the King’s name, and sent abroad, not only through all England, bot over sea, as we heard, in diverse languages, heaping up a rabble of the falsest calumnies that ever was put into any one discourse that I had read, to show that we were the most desperat traitors that yet had lived, and meere hypocrites, who, in matters of religion, had never been wronged, bot

¹ The full title of this work is, *A Large Declaration concerning the late Tumults in Scotland, from their first originalls: together with a particular deduction of the seditious Practices of the prime Leaders of the Covenanters: collected out of their own foule Acts and Writings: By which it doth plainly appeare, that Religion was onely pretended by those Leaders, but nothing lesse intended by them.* BY THE KING; London, printed by Robert Young, his Majestie’s printer for Scotland, Anno Dom. 1639, folio, pp. 430.

Sir John Lauder, better known as Lord Fountainhall, in one of his MSS. has “A judgement, censure, and opinion of fundrie books, containing also a collection of some remarkable passages thereof, Anno 1679.” It contains the following notice:—

“Mr. Walter Balcanquhall, Dean of Durham, was thought to be the author of *The Large Declaration*, published by his Majesty in 1640; and THE EARL OF LOTHIAN was supposed to have penned the *True Representation of the Proceedings of the Kingdom of Scotland since the late Pacification, against mistakings in that Large Declaration, being an answer thereto* (MS. Adv. Lib., prefs 6, 2, 14). Lord Fountainhall was at least mistaken in supposing that ‘the True Representation’ could be called an answer to the ‘Large Declaration.’” It was occasioned by *His Majestie’s Declaration concerning his Proceedings with his subjects of Scotland since the Pacification in the Camp neere Berwick*. London, printed by R. Young, his Majestie’s printer for Scotland, and R. Badger, printer to the Prince his Highness, 1640, 4to, pp. 63. The full title of the tract which he says had been ascribed to the Earl of Lothian is, *A True Representation of the Proceedings of the Kingdome of Scotland, since the late Pacification; by the Estates of the Kingdome: against mistakings in the late Declaration, 1640.* Printed in the year of God 1640, 4to, pp. 72; with a separate portion, pp. 102, as, *The Proceedings of the Commissioners sent from the Parliament of Scotland to the King.*

had onlie fought pretences of religion to collour our plotts for rebellion. It was good that this book was kept carefullie from our hands till the Treatie of Peace was near clofed.”¹

At the meeting of the General Assembly held at Edinburgh in August 1639, the Earl of Traquair was appointed Commissioner by the King, and the Earl of Lothian was present as one of the members. The Assembly's proceedings formed a necessary sequel to those of the preceding year. Among their acts it was declared anew, That Episcopacy was unlawful, and to be condemned, along with the Book of Canons, the Service Book, etc. The “Large Declaration” in the King's name, was referred to a Committee, who soon after submitted to the Assembly Observations upon the said book; “the tennour whereof followes :—

“ This Declaration of Doctor Balcanquell is, First, dishonourable to God; 2^{lie}, to the King's Majestie; 3^{lie}, to this Nationall Kirk; 4^{lie}, it is stuffed full of lies and calumnies, which we make evident to the world by these Reasons :”—which are given at full length.

According to the Treaty of Pacification of June 18, 1639, it had been stipulated that all matters *Ecclesiastical* should be settled in a General Assembly, and matters *Civil* in the Parliament and inferior Judicatories established by law. On finding that the Acts of Assembly and Parliament on these points were altogether in favour of the Covenanters, the King refused to confirm their proceedings, and resolved again to have recourse to hostile measures in order to compel them to restore the deposed Prelates, and to bring about his long-cherished desire of Uniformity, by invading Scotland for a second time. The Covenanters, however, were fully aware of this intention; and their past experience, both of the King and his advisers, was sufficient to rouse their suspicions, and induce them not to relax their vigilance. Accordingly, when the King, in 1640, had assembled a large force, the Covenanters, on their part, lost no time in

¹ Principal Baillie's *Letters and Journals*, vol. i. p. 208.

completing their levies, under the command of General Sir Alexander Lesley and other experienced foldiers. On the 20th of August they crossed the Tweed, at Coldstream, where the river could be forded by troops. Their force is reckoned to have consisted of about 20,000 foot and 2500 horse.¹ They came to Newburn, on the banks of the Tyne, about five miles to the west of Newcastle, where, on the 28th of that month, they encountered the English troops, and, after a short engagement, compelled them to retreat. Next morning the Scots took possession of Newcastle, and the Earl of Lothian, who commanded the troop of horse from Teviotdale, was appointed Governor of the town.² The result of this was that the King had no recourse but to nominate Commissioners to meet others from the Scots, at Ripon, on the 1st of October, to conclude upon a new treaty. On the 23d of that month the negotiations were transferred to London.

Writing from Newcastle, November 8, 1640, to his father in London, the Earl of Lothian says, "This is by the occasion of our Commissioners, whoe are coming for the Treatie. God give it a good conclusion, and put into the heartes of the Parliament to take the fairest and rightest courses for it. Whatever be fayd of us, or be layed to our charge, God Almighty knowes we have noe thoughts of prejudice towards this kingdome where we are. If we had, we would

¹ Baillie's *Letters and Journals*, vol. i. pp. 255-257.

² The following brief notices regarding this transaction are taken from Balfour's *Annals* :—

"1640, August 21.—The Scotch army crossed the river Tweed on Friday, and entered England in the evening. Next morning, when they were mustered, 200 companies of foot, 4000 horse, and 2500 baggagers. Sr. Alexander Leslie of Balgonie was Genrall. Ther was in this army of noblemen colonells, having old experimented fouldiers, to ther lieutenants and maiors, the Earles of Rothes, Montrois, Dumfermling, Kingorne, Loutheane, Dalhousie."

"August 27.—The Army crossed the river Tyne at the ford called Newburne."

"August 31.—After taking Newcastle the Earl of Lothian is appointed Governor of the town so long as we stay heire."

not have beene in this place; necessitie made us come from home, *and thither we will never returne but with assurance to injoy our Religion in puritie, and our Nationall liberties* without relation to the customes of this kingdome. We wish and pray they may gett a reformation like ours, and that they gett every other thing is justly dewe to them by there lawes; and if they be defective in any thing may conduce to the good of the Commonwealth, that nowe they be redressed. *But we come not to reforme Church nor State.* We have noe futch vaine thoughts." He adds, "We shall never refuse the King civill and temporall obedience; if more be demanded we can not give it, and in our lawful defence WE DARE DIE!"

In other letters to the Earl of Ancram he refers in similar terms to the part he was constrained to take, in the fatal divisions which prevailed, influenced by a sense of public duty. February 27, 1641, he says—"I am sorry att the expresseion of your sufferings for me; that makes me wish, I had had noe hand in this busines rather, and I HAD RATHER HAVE BEENE DEAD THAN NOT TO HAVE BEENE ANE ACTOR IN IT." Persons actuated with such a spirit could not fail to triumph over the duplicity which so unfortunately influenced the whole course of the King's proceedings.

Again, when thanking his father for a sword which he had sent him, he writes (March 22)—"The sword your Lordship hath sent (if I have any skill) is a very good one, and I value highly anything was my Grandfather's. I pray God give me the grace not to do anything unworthy of him or your Lordship. I shall alway make use of this sword, and all I carie, for the honor of God, the good of my Country, and the King's service when it is not contrarie to these; and would to God *the King would leade our Armie*, or make use of the hartes and handes of his good subjects, *in a just and a holy warre* for the advancement of Religion, and persfiting this greate begun worke: I should think myself happie to die att his feete, or in the action."

All this time the Earl of Lothian was compelled to a constant residence in Newcastle till the beginning of August 1641. In

his letters to his father, he frequently complains that his health suffered much from his residence there. He was, however, unexpectedly summoned on the 7th of June to attend the Committee of Estates at Edinburgh. The Earl of Montrose, who had hitherto been a zealous Covenanter, jealous of the influence of Argyll, and offended on account of the chief command of the forces being given to Sir Alexander Lesley, had, during the preceding winter, organised an opposition composed of several noblemen and gentlemen who united in signing a bond for this purpose. The Earl of Lothian, writing to his father from Newcastle, July 6, thus relates the proceedings in "the last business concerning the Earl Montrose. In winter, indeade, when his Band was burnt, I did what I could to quiett matters and bring him off, and he thought I did him good offices. But now I took not for much paines; for his often relapses are not to be indured, and his practices will be found much to the prejudice of the publicke, and very malicious against particular men, whoe, to my knowledge, deserve it not at his hands. He was therefore (without one voice dissenting, either of the Committee or Noblemen and Commissioners of Parliament, whoe were present in good number) committed to the Castle, and I beleave my judgment was the first was asked in it; for such was the President's pleasure, who was for that tyme. He got my vote to it also when in voting it came to my turne, and I was appointed with the Lord Maitland to carie him to the Castle. This business and the examining him and Napier and Kier, with Captain Stewarte and Mr. John Stewarte's examinations, kept me 20 days in Scotland. . . . For myself, in all these processes and troubles I have no particular but the good of the publicke; that safe, I am for all the ways of gentleness and moderation."

The pacification with England, as ratified by the Parliament of England, was not finally concluded till 26th August 1641, when both armies were disbanded. In the previous month the Earl of Lothian had been relieved from his duties at Newcastle; and in the Parliament at Edinburgh, on the 28th, he was chosen as one of the

Lords to draw up the Articles. His Majesty arrived at the Palace of Holyrood on the 14th of August 1641, at night; and on the following day, as Balfour narrates, "His Majesty heard sermon in the Abbey Church, where Mr. Alexander Henderson preached to him before noon; and afternoon he went not to sermon, but being weiried, reposed himself in private." As the Earl of Lothian had anticipated in his letter of 23d May, his reception was far different from what he had experienced on his triumphal entry for his Coronation in 1633. The King ratified all the Acts passed in June 1640, in number thirty-nine, and thus for the time he was constrained to abandon his long-cherished schemes of ecclesiastical polity in Scotland.

In October 1641, while the King was still resident in this country, the tidings first came of an event which roused the whole population of England and Scotland—viz. the rebellion of the Roman Catholics of Ireland and the massacre of the Protestants residing there. It is remarked by Malcolm Laing, one of the ablest of our historians, that "Insurrections directed in Scotland to the preservation of civil and religious liberty, though inflamed by enthusiasm, had subsided with little bloodshed, and without devastation; but the insurrection in Ireland was excited by motives of the most debasing superstition, the most insatiate rapine, and the most inhuman revenge."¹ Hume and other historical writers give a detailed account of the atrocities to which the Protestants were subjected, and variously estimate the number of those who perished to have been between 40,000 and 200,000. When the first information was transmitted to Scotland, neither the magnitude nor the enormity of the Rebellion was known. The King communicated with the Scottish Parliament, calling on them, that as some commotions had arisen in Ireland, they should co-operate with the English Parliament in suppressing it. The Earl of Lothian was accordingly sent with others to concert measures for this purpose with the English, and his notes of these negotiations are

¹ *The History of Scotland, from the Union of the Crowns (1603) to the Union of the Kingdoms (1707)*. Lond. 1806. Vol. iii. p. 204.

printed at page 130. On ascertaining from the King, on November 1, the imminent danger, the Committee for "the Irish business" recommended that eight regiments should with all diligence be levied, consisting of 2500 Highlanders and 7500 from the Lowlands.¹ The Earl of Lothian was appointed to the command of one of these regiments. Lord Angus, in writing to the Earl on the 24th April 1642, says, "I have heard of the embarking of your regiment; for certification hereof, Sir John Murray is come down." Whether Lord Lothian personally joined them in Ireland is somewhat doubtful, but his regiment remained there till February 1644.

Other employment, however, was imposed upon the Earl of Lothian. In December 1642 he was selected by the Privy Council of Scotland to proceed on an embassy or special mission to the King of France, and appears to have been quite successful, yet it proved most disastrous to himself in its results. Without referring to the fabulous accounts of the ancient Alliances between Scotland and France, carried back by tradition to the reigns of Achaius and Charlemagne, A.D. 789, we know that the Scottish Archer Guard in France² was constituted by Charles the Sixth in the early part of the 15th century; and Sir Walter Scott, in "Quentin Durward," has immortalised them and their old Colonel, Lord Crawford, along with Ludovic Lesley, called *Le Balafre*, as flourishing in the reign of Louis the Eleventh, who long before had said that "they held in their hands the fortune of France, as to them were intrusted the direct custody and protection of the royal person." The ancient privileges enjoyed by the Scottish Guard were often infringed or withheld, and it was some complaint of this kind, made by the Privy Council of Scotland, that led Charles the First to reply to their letter, October 10, 1642, authorising them to appoint "such as you think most fitt to treat

¹ Balfour, in his *Annals*, has given a full report of the proceedings in Parliament, 1641.

² See volume printed for the Maitland Club of *Papers relative to the Royal Guard of Scottish Archers in France*. Edinb. 1835, 4to.

with those who shall be warranted by our Brother the French King." The Privy Council accordingly, December 10, gave commission to William, Earl of Lothian, to repair to the kingdom of France for this purpose. On reaching London he obtained this warrant from the Commons :—

18 CAR. I. 1642(-3), January 4—*Ordered*, That the Lord Linsey and the Lord Louthian shall have Mr. Speaker's warrant for themselves, and six servants apiece with their horses, to go and come to Oxon.¹

Lord Lothian accordingly proceeded to Oxford, and obtained formal instructions from the King, January 10, 1643 (as printed at p. 142); he being jealous of any interference with his royal authority; at the same time enjoining a speedy return, and to report in person the result of his mission. On the 8th of December a precept for £2000 sterling was granted to the Earl for defraying his expenses. On January 13 the House of Lords "*Ordered*, That the Lord Lothian shall have a pass to go into France, being employed by the Crown of Scotland about some business there." A vessel was placed at his disposal by the Earl of Warwick, at that time Lord High Admiral of England, and he sailed from Dover about the 21st of January 1643.

The Earl of Haddington, in a letter dated June 1643, refers to "the good success of your Lordship's voyage, and of the favorable answer your Lordship has gotten here, touching the places and privileges that did before belong to Scotsmen which we hear is of new re-established to them again, therefore they urge that I shall feike the place of the Captain of the Scots Gairde of fyve-and-twentie, commonly called *la Garde de Manche!*"²

While the Earl of Lothian was detained in France, a circumstance occurred which cannot be passed without some notice—the death of Lord Kerr, the only son of the Earl of Roxburgh, without male issue.

¹ House of Commons, vol. ii. p. 913.

² See p. 142.

Lady Lothian, in writing to the Earl of Ancram, April 20, 1643, says — “Your Lordship hath heard of the Lord Ker’s death. His lady is now brought to bed of a fourth daughter. There are many reportis going that my Lord Roxburgh is about to settill his estaitt. Your Lordship knoweth my interest in that House. I have the honour to be com’d theroff. My father, gif he wer alyve, wer the narrest air-maill and of tallie to it. My sonne is narrest in blood of any of the maill Kers.” But any such claim to the succession to that Earldom, on behalf of Lord Kerr of Newbattle, was unsuccessful, as the Earl of Roxburgh, who died in 1650, aged about 80, had gone through the process of surrender in 1643, and obtained the Royal promise to sanction the nomination of any series of heirs he might choose to appoint. A further reference to the disputes which this matter occasioned will be given in connexion with the Genealogical Tables of the Kerr family at the end of this Memoir.

Whilst his mission was favourably progressing, Lord Lothian, before leaving France, was seized with fever, and remained in such a dangerous state that his mother-in-law, Annabella, Countess (Dowager) of Lothian, in a letter to the Earl of Ancram, July 23, says—“My Lord and deare Brother, If I had wreten to you this long tym, it had bene bot fad newes of our sone’s sicknes, and I confes I had him in my armes once that I feared ye should never haue sene him, bot the grace of God is nearer nor the faire evin, and I trust he is spaired now that we may goe before him, who wold taste but little comfort if he wer gone; but the will of God be done, and he will doe it, tho’ we had sworn the contraire.”

On Lord Lothian’s recovery he returned and reached London, September 27, “weary and fore with a short journey.” He was warned of the danger to which he would expose himself, yet, true to his instructions, he hastened to Oxford to render an account of his embassy.

The King, upon some unfounded suspicions of treachery, would not receive the Earl on his arrival. For several weeks his Lordship

was kept in restraint at Oxford; and when at length "all calumnies were clearly discussed, to his Majesty's full contentment," on being admitted to an audience of the King, he was required to swear not to bear arms without express direction from his Majesty. Declining conscientiously to take such an oath, he was, in the most arbitrary manner, sent a prisoner to Bristol Castle, where he was kept in close confinement, and treated with the utmost rigour. Confined in one narrow room with no servant to attend him, "but three men within, and two musketeers at the door without," to keep watch and ward, his condition was most lamentable; and his weak state of health, from his serious illness in France, combined with the severity of his imprisonment, nearly cost him his life.¹ At length the King, on the intercession of many of his friends, gave orders that the rigour of his confinement should be somewhat relaxed.

The Convention of Estates at Edinburgh, on the 3d of January 1644, passed an Act in favour of William, Earl of Lothian, approving of his proceedings in France, he "having gone be his Majesties warrand into France, and having discharged that trust committed to him, the Counsell were surpris'd be ane petition given into them be the Countesse of Lothian, schewing that the said Erle wes retained at Oxford," etc.; and remonstrating against his treatment, and declared that "they are oblig'd be the Law of God and Nations to use all means to the utmost of their power for the libertie of the said Erle."²

Meanwhile his case was brought before Parliament, while his friends were making strenuous efforts to secure his release. The following resolutions, which occur in the Journals, may be quoted:—

19 CAR. I. 1643-4, February 20.—*Resolved*, etc., That the case and C. condition of the imprisonment of the Lord Lowthian be referred to the consideration of the committee of both Kingdoms, to consider what is fit to be done for his release; and to report their opinions at the next sitting of the

¹ See extract from Baillie's *Letters and Journals* in note to p. 157.

² *Acts of Parliament*, vol. vi. p. 60.

House. Sir Rob. Pye is appointed to carry up to the Lords the vote concerning the Earl of Lowthian ; and the forces of the kingdom, etc.

— Brought word, that the Lords are risen.¹

Ordered, That Sir Rob. Pye do, to-morrow, carry up to the Lords the oath for the committees for both Kingdoms ; and the other messages this day appointed to be carried up by him.²

1643-4,
February 20.

- L. 19 CAR. I. 1643-4, February 21.—That the case and condition of the imprisonment of the Lord Lothian be referred to the consideration of the committee of both Kingdoms, to consider what is fit to be done for his release ; and to report their opinions at the next sitting of the House. Agreed to.³

Message to
Committee as
to his im-
prisonment.

- C. 19 CAR. I. 1643-4, February 22.—Sir Rob. Pye brings answer, That the Lords do agree to the vote concerning the commitment of the Lord Lowthian.

Resolved, etc., That to express the good affections of this House to the kingdom of Scotland, they do assent and order that Colonel Goring shall be exchanged for the Lord Lowthian ; provided that the Lord Lowthian be delivered into my Lord General's quarters before Colonel Goring be discharged.⁴

1643,
February 22.

- C. 19 CAR. I. 1643-4, March 12.—The letter sent from the Earl of Forth, of the twenty-eighth of February, to the Earl of Essex, concerning the exchange of the Lord Lowthian for Colonel Goringe, and touching the King's children at St. James, sent down in a message from the Lords on Saturday was sevennight, was read : and this House doth concur with the Lords in opinion, and hope they shall have as great a care both of their bodies and souls here, as they at Oxon can have.

The Lord General is to be acquainted herewith ; and to be desired to return an answer to this purpose.⁵

The Earl of Lothian was at length released in March by an exchange for Sir Charles Goring, and seems immediately to have returned to Newbattle. He was present at the meeting of Parliament held at Edinburgh in June 1644, and on the 17th July an Act was

¹ House of Commons, vol. iii. p. 403. ² Ibid. p. 404. ³ Lords, vol. vi. 435b.

⁴ House of Commons, vol. iii. p. 404.

⁵ Ibid. p. 425.

passed in favour of William, Earl of Lothian, in regard to his employment and commission to France by the Lords of Privy Council, declaring, "That he hes worthilie acquitt himselfe theiranent according to the trust put upon him. And considdering that the said Erle of Lothiane hes been at great charges and expenssis, and hath sustenid great loise, hurt, and prejudice, through the delayes of his dispatche in the said employment, occasioned be the death of the King of France, and throw his awne seeknefs in that kingdome, and by his restraint at Oxford, and long imprisonment in England in the castle of Bristoll, whilkis charges, expenssis, loisse, hurt, and prejudice, the Convention of Estates be their act the third of Januar last declared they wald make up: Thairfore the ESTATES of this present Parliament Recommendis and Remittis to the Committee of Estates resideing at Edinburgh, to consider agane the said Erle his charges, expenssis, loiffes, and prejudices occasioned in manner aforesaid, with his deservings and panes in the said employment," etc.¹

While the Earl of Lothian had thus been precluded from engaging in any public matters, four Commissioners from the English Parliament, and two members of the Westminster Assembly of Divines, were present at the meeting of the General Assembly held at Edinburgh in August 1643. Their object was to treat for a Civil League between the two kingdoms. In Scotland, however, a Religious Bond was desired, and on the suggestion of Alexander Henderson, the Moderator, both objects were conjoined, and THE SOLEMN LEAGUE AND COVENANT, then proposed, was finally adopted in both countries.

Instead of large sheets of parchment, copies were printed in small quarto with the title—"A Solemne League and Covenant, for Reformation, and Defence of Religion, the Honour and Happineffe of the King, and the Peace and Safety of the three kingdomes of Scotland, England, and Ireland. Edinburgh: Printed by Evan Tyler, Printer

¹ In a subsequent Act of Parliament, January 1st, 1647, the claims of the Earl of Lothian upon the Estates of Parliament are recapitulated, but in those days the payment of such debts could not be reckoned upon.

to the King's Most Excellent Majesty, 1643." These copies have blank leaves added, with the head title on each page:—"The Subscribers of the League and Covenant."

One of these copies, signed at Newbattle, in October 1643, is preserved in the Antiquarian Society's Museum. The date on the fly-leaf, is in the handwriting of Robert Leighton, the minister of the parish. The following facsimile of the three principal signatures may be repeated from the Bannatyne Miscellany, vol. iii. p. 231, where the copy is described.¹ Lord Lothian's name could only have been added at a subsequent date, in consequence of his enforced absence in England.



The image shows three handwritten signatures in cursive script. The first signature, labeled with a small '1', is 'Lothian'. The second signature, labeled with a small '2', is 'R Leighton'. The third signature, labeled with a small '3', is 'J Murray'.

Soon after Lord Lothian's restoration to his family, his Lordship was directed by the Estates of Parliament, along with the Marquess of Argyle, to go in pursuit of Montrose, who, having raised an army of Irish and Highland troops, had defeated the forces opposed to him at Tippermuir under the command of Lord Elcho, September 1, 1644. The "Notes" of the Earl of Lothian, printed at p. 171, along with a subsequent letter, explain their rapid movements between September 4, when he left Edinburgh, and the end of October. The Parliamentary forces were under the command of the Marquess of Argyle, who for courage and military resources was by no means any match

¹ These signatures are (1) William, Earl of Lothian; (2) Robert Leighton, Minister of Newbattle; (3) Sir John Murray, Gentleman of His Majesty's Privy Chamber, and younger brother of Sir Archibald Murray of Blackbarony. See *Proceedings of the Society of Antiquaries of Scotland*, vol. iv. p. 487.

for Montrose, during their incessant marches and countermarches. Montrose had secured an advantageous situation near Fyvie, and Argyle, although commanding a much superior force, yet failed, by his caution and want of energy, in producing any special results. The account given by Baillie¹ may be quoted :—

“ You heard what followed of *that strange courseing*, as I remember, thrice round about from Spey to Athole, wherein Argyle and Lothian's sojourns were tyred out ; the countrie, harassed by both, and no less by friends than foes, did nothing for their own defence.”

“ Whether through envy and emulation, or negligence, or inability, Argyle's armie was not relieved as it should, himself was much grieved, so that he laid downe his commission, which *neither Lothian nor Callander* for any request would take up ; so Baylie² was forced to take it, or it must have lyen. In the meantyme, the enemy, after this long storme, schoreing to fall downe on Glasgow, turned to Argyle, and came through it all without opposition ; burnt Inveraray ; killed and spoyled what they pleased.”

The eulogists of Montrose boast of the advantages he gained over Lord Lothian's cavalry ; but he himself, in his letter to Lady Lothian, October 30, says distinctly, “ We heard that the rebels were at Fyvie, upon which, upon Monday morning, we marched towards them, but found [them] lying soe strong in a wood, that they could not be forced out of it by ane army. We beat in all came out, and killed at least 15 or 16. *We lost some two of my regiment ;* your uncle's people, one ; a trooper or two : amongst the horse were some kill'd likewise, for they had great advantages of dikes and houses. I have related to you all the losse and hurt.” He concludes with saying, “ I wish I were disingaged ; but I must bide it out till it be donne handsomely, for death is better than discredite. Besides, I will be loath to leave your uncle ” (the Marquess of Argyll).

Montrose having effected his retreat to the wild districts of Badenoch, inaccessible to horse, his opponents dispersed to their winter quarters in November 1644 ; and in the following year the King

¹ Baillie's *Letters and Journals*, vol. ii. p. 262.

² Lieutenant-General William Baillie, in his *Vindication*, makes a similar statement.

ordered Montrose, his Lieutenant-General, to disband his forces and retire either to France or Holland.

The Earl of Lauderdale, writing to Lord Lothian from Worcester House, March 13, 1645, says,—“ In that part of the despatch which concerns your Lordship, the Committee of both kingdoms have made it a part of the report that is to be made to the House, that it is necessary that your Lordship be written to goe and take the charge of the armies in Ulster, as Lieutenant-Generall, according to your commissioun, and that your Lordship be encouraged and inabled to goe.” The Earl of Lothian, however, seems at this time to have resided constantly in Scotland, as his name occurs among the nobility present at the meetings of Parliament in Edinburgh that year.

After the battle of Naseby, June 14, 1645, the King found himself in a very hopeless state. He first retired to Wales, and then to Oxford, where he remained for more than eight months cherishing delusive hopes of stirring up jealousy between the Presbyterian and Independent factions. On the approach of Fairfax to besiege the city, Charles, finding he could not remain much longer in safety at Oxford made his escape in disguise at night on April 27, with only two attendants, and within eight days took shelter unexpectedly with the Scottish army before Newark. He was received with all due respect, but soon after, for greater security, he was escorted to Newcastle, and arrived there on Wednesday, May 13. He was informed, however, that unless he signed the Covenant and gave an unfeigned assent to the established Presbyterian form of Church government, it was hopeless to expect anything from the leaders of the Scottish army. In Baillie's *Letters and Journals* will be found various reports on the subject then in circulation. A few sentences may be quoted.

(May 8th.)—“ The King, on Monday early, went, as Ashburnham's man, out of Oxford. For almost eight dayes, great fear and ignorance here whither he had gone. Many did think he was in London, many that he was for Ireland. At last he was found in our armie at Newark.”

(May 15th.)—“ There was great appearance of furrounding our armie at Newark, with all the forces they had, at least with twenty thousand weel-armed men, to take

the King from us to prison, or to cut us off. This made us, after the ending of the capitulation of Newark, to retire with speed. We are now out of their danger in haste. The faction's great designe is to continue the warre, a peace is their quick and evident ruin; . . but our great perplexitie is for the King's disposition. . . By God's help, they will endeavour to make him take the Covenant [and] be fully directed to follow the advyce of his Parliament. If he doe so, we expect from God presentlie a happy peace; if his induration be remediless, our Army will not shelter him: for, by God's grace, doe he what he will, we shall be honest and sticke by our Covenant, how greatlie soever this people suspects, measuring us by their own hearts."

(July 28.)—"When I look upon the disposition of all men I know, I see nothing but ruine for poor Scotland, except the God of Heaven help yow there to save that poore Prince from destroying of himself and his posteritie, against whom he has but invocat too oft the name of God. Though he should swear it, no man will believe it, that he sticks upon Episcopacie for any conscience."

The Earl of Lothian has preserved some Notes of the proceedings at Newcastle in May and June 1646. There is also at page 185 a very interesting letter, in reference to the King's presence with the Scots, addressed to Lord Lothian by Robert Leighton, from Newbattle, June 8, 1646, in which he says—"Your Lordship's faithfulness and freedom we learn of here, with as much contentment to all well-minded, *as possibly it is of discontent to Him (the King) that still most mistakes those that wish him best.*"

In writing to his father (July 30) he says, "I am striving to disengage myself of all publike affairs, and only betake myself to my private affairs; for I gett every day disgusts and displeasures, which you will knowe better from others then myself."

While the King, safely lodged in Newcastle, was engaged in disputes regarding Presbytery and Episcopacy,¹ the English were desirous that the Scottish Army, now that the war was over, should leave the kingdom. The Scots themselves were not less desirous to return. Two important questions, however, remained to be first settled. One was, the payment of arrears that were claimed as due from the English Parliament; the other, the disposal of the King's person. After considerable discussion, beginning August 12, on Sep-

¹ See note to page 183.

tember 1, the amount of arrears definitely fixed was £400,000, one half to be advanced before the departure of the Scottish army.

The other point was carried on simultaneously,¹ but they were quite distinct from each other. The House of Commons, September 18, resolved, that the disposal of the King's person belonged exclusively to the two Houses. This was refuted by the Scottish Commissioners, who claimed to have a natural and equal right to vote, in regard to the King's person. Their conduct in this dispute was in itself sufficient fully to exculpate them from the charge of any previous secret-bargain (which has frequently been alleged), in the unjust aspersions of the Scots *selling* their King for £200,000, when they received payment of arrears. Had this been so, it might be asked whether the English had any claim of acting more honourably, if they resorted to such a palpable act of bribery in order to accomplish their object of *killing* their King?

It has, at least, never been called in question that the King's resorting to the Scottish camp was a step quite voluntary on his own part, having received neither invitation to do so nor guarantee for his security. A letter to the Committee of both kingdoms touching the King's coming to the army was addressed, May 6, 1646, by the General Lord Leven, the Lords Dunfermling, Lothian, and six others,

¹ "It unavoidably happened (says Godwin), that the treaty for the four hundred thousand pounds to discharge the demands of the Scots and the arrears due to the Scots army, and the negotiation for delivering up the King's person, went on at the same time, and by corresponding steps; and this in the ordinary language of history has been called *bartering the King's person for gold*. It is true that from the circumstances of the time the one could not go on without the other: the money would not have been paid when it was paid, and the person of Charles would not have been delivered to the English just at that period, if it had not been necessary that the one and the other should be done without delay. Both measures were just. The Scots army had earned their wages, and could not be disbanded without this supply. And no person who understood the true interests and welfare of Scotland can fail to believe that it would have been madness on the part of the Northern nation to have carried the King back with them into their own country, unless he first took the Covenant." (Godwin's *History of the Commonwealth*, vol. ii. pp. 255-6.)

in which they declare "that there hath been no Treaty nor Capitulation betwixt his Majesty and us, nor any in our names; and that we leave the ways and means of peace unto the power and wisdom of the Parliaments of both Kingdoms."¹

The question itself was one of great difficulty. Charles was quite aware that his presence in Scotland would immediately have given rise to a renewal of the civil war. This he might not have lamented, as under all his varied circumstances the King still continued to deceive himself by cherishing the delusive hope of regaining supreme power through disunion of his enemies, which (in Hallam's words) "lured him on to destruction."

The brief summary of proceedings at this time, as contained in the Memoirs of Robert Blair, minister of St. Andrews, is worthy of notice, he himself having been one of the Commissioners.

"In end, the Parliament assented to the votes of the English Parliament, anent the removal of our army out of England, anent the payment of their arrears, and (in case the King still continued to refuse to satisfy the just desires of his Parliaments for the security of religion and the peace of the kingdoms) anent the King's going to Holmby-house. They resolved that, if the King would not subscribe the Covenant and Propositions, that the kingdom should be governed as these six years bypast. . . . All business being thus accorded and ordered, in January 1647 our Parliament did yet again send up Commissioners to the King, viz. Lothian, Balcarras, Frieland, Garthland, and William Glendinning. The Chancellor (the Earl of Loudoun), being come from London did join with them at Newcastle. Their commission was, that the King would yet be pleased (so sincerely desirous were all honest men of his welfare and happiness) to subscribe the Covenant and Propositions, and heartily join with his Parliaments for the advancement of the work of Reformation of religion in his kingdoms. The King, as oft before, refused either to subscribe the Covenant or Propositions. He was desirous to have come to Scotland with the Army, hoping to make a strong party there for his designs. But both Parliaments having concluded his going to Holmby-house, he intended, in a disguise, to make his escape (as was thought), but could not get it done. Being challenged by the first guard he came towards, he retired again into his bed-chamber."²

The Scottish Commissioners presented to the King at Newcastle the votes of the Parliament of Scotland, January 12, 1647, to the

¹ Printed in Rushworth's *Collections*, Fourth Part, vol. i. p. 268.

² *Memoirs of Mr. Robert Blair*; Wodrow Soc. edit., p. 193.

effect that unless he granted the Propositions concerning religion and the Covenant, "your Majesty cannot be admitted to come or remain in Scotland, with freedom." The King's answer, refusing to give his consent, being returned back to Edinburgh on the 16th, was laid before a meeting of Parliament on that day, and produced the DECLARATION OF THE KINGDOME OF SCOTLAND CONCERNING THE KING'S MAJESTIE'S PERSON,¹ from which the following is an extract :—

"Therefore the Estates of Parliament of the Kingdome of Scotland, and in regard of his Majesties not giving satisfactorie answer to the Propositions as yet, and out of their earnest desire to keep a right understanding betwixt these Kingdomes, to prevent new troubles within the same, to satisfie the desire of his Majesty, and the two Houses of Parliament of England, and of this Kingdome, for his residence in some of his houses near the Parliament of England, and to prevent mis-information, and to give satisfaction to all ; Do declare their concurrence for the King's Majesties going to Holmeby-house, or some other of his houses in or about London, as shall be thought fit, there to remain untill he give satisfaction to both Kingdomes in the Propositions of Peace : *And that in the interim there be no harme, prejudice, violence, nor injury done to his Royall Person* : That there be no change of Government other then has been these three yeares past : And that his posterity in nowayes be prejudged in their lawfull succession to the Crown and Government of these Kingdomes."

The time proposed for the removal of the Scottish army, and to leave the King in the hands of the English Commissioners, being near at hand, the noblemen and others who were appointed to conduct the King to Holdenby or Holmeby, left London, January 12, 1647, and on the ninth day following arrived at Newcastle. Sir Thomas Herbert, then a youth, had been appointed Groom of the Chambers to his Majesty, and, as an eye-witness, he has preserved in his Memoirs many interesting particulars regarding his Royal Master. In noticing their arrival and reception, he says, "The Commissioners, after a very short repose, went to the house where the King then lodged in Newcastle; and being conducted to the presence-chamber, his Majesty, soon after his being acquainted with their coming, came into the presence, and with affability received and gave them his hand to kifs; and being by the Commissioners told the occasion of their

¹ *Acts of Parliament*, vol. vi. p. 239.

repair thither to attend his Majesty, the King seemed very well pleased therewith, and said they were welcom, for he knew most of them, none of them were strangers to him, and no less welcom was their business; well hoping, that his drawing nearer his Parliament would be a means to remove jealousies and distrusts, and establish a right understanding betwixt him and his two Houses of Parliament.

“The King, both by his alacrity and cheerfulness of his countenance, made it appear to all that were there (and the presence-chamber was then full), that *he was no less willing to part from the Scots than they with him*, and that his going South was very satisfactory to him; and after some mirthful passages with the Earl of Pembroke . . . the King told him he was glad to see that he could so well in his old age perform so long a winterly journey, with the rest of the Commissioners who were youthful. He then advised them to go and refresh themselves, and attend him the next morning. Which the Commissioners accordingly observed.”¹

The Earl of Lothian and James M'Dowall of Garthland were specially appointed by the Scottish Parliament to attend the King in his journey to Holmeby-house. The Earl continued with the King apparently for some weeks, and appears afterwards to have visited London.

On the 30th of January the other Scots Commissioners took leave of the King, and their Army evacuated the town of Newcastle, having received payment of the first instalment of their arrears. Charles and his attendants arrived at Holmeby or Holdenby about the middle of February, and remained there for some months, treated with great respect, partly owing to his own quiet and dignified deportment, as he can “scarcely be accused of having lost sight at any time of the personal demeanour which he thought befitting a King.”²

¹ *Memoirs of the Two last years of the Reign of King Charles I.* Lond. 1702. 8vo. Republished, Lond. 1813. 8vo.

² Godwin's *History of the Commonwealth*, 1826, vol. ii. p. 262.

In October the Committee of Estates sent the Earl of Loudoun Lord Chancellor, and the Earl of Lanerick, to unite with Lauderdale, at that time in London, in endeavouring to procure a reconciliation between the King and the English Parliament. In this they failed, but continued to manifest the loyalty of their nation to the *person* of the King, by sending a letter to the Speaker of the Commons, November 5, complaining of the violence done by the army to the King's person, and of his being still detained in captivity; intimating "that no alteration of affairs shall ever separate them from the duty and allegiance they owe unto his Majesty, nor from their constant resolution to live in loyalty under his government;" and desiring that "there may be a Personal Treaty with his Majesty, as the best and readiest means to obtain the joint desires of both Kingdoms."¹

The Committee of Estates met at Edinburgh on the 8th of February 1648, "on which day, both the English Commissioners, Mr. Ashurst and Collonell Birch, came to Edinburgh with Mr. Marshall, and also the Scots Commissioners that night. . . The Marquis of Argyle, the Earl Lauderdale, and the Lord Lothian, gave our Commissioners a visit at their lodging. . . These three Lords were very courteous to our Commissioners, and the Scots in generall are civill to them."²

The renewed agitation in Scotland in favour of the restoration of the King, by the Royalists, under James, Duke of Hamilton, which led to what was called *The Engagement*, but to which Argyle, Lothian, and the church party were decidedly opposed, proved most unfortunate. An invasion of England was attempted in August that year, for the purpose of obtaining possession of Carlisle and Berwick for garrisons. This resulted in their total defeat at Preston, and precipitated the fate of their Royal Master.

¹ Rushworth, part iv. vol. ii. p. 864.

² *Papers from Scotland of Transactions of the Scots Commissioners concerning the King and the Parliament of England, delivered at the Convention of Estates at Edinburgh.* London, 1648. 4to.

The Army having secured the supremacy, after Charles had refused to accept the treaty at Newport, presented, in September, a Remonstrance to Parliament, demanding execution of justice on the King, as guilty of all the bloodshed in their long-continued National calamities.

A strong feeling in the King's favour still prevailed in Scotland, notwithstanding their experience of his obduracy and want of sincerity in all his negotiations. In the month following the Scottish Parliament accordingly appointed as their Commissioners the Earl of Lothian, Sir John Cheilzie, and William Glendinning,¹ to represent to the two Houses, that as they were in no ways accessory to the late breach that had taken place, they would willingly concur in any good measure for the settlement of peace, and their readiness to appoint Commissioners to set on foot a new treaty with the King.²

The English Sectaries, however, having now decided to take away the King's life, he was brought prisoner from the Isle of Wight to Windsor. The Scottish Commissioners in London were immediately instructed to oppose such proceedings by all means possible; but "that nothing proceed from you, justifying the King's proceedings and actions, or in approbation of the late Engagement." These Commissioners accordingly, January 6, 1649, in name of the Kingdom of Scotland, presented in writing a strong remonstrance, and continued their exertions by authority from both Church and State, by protests and otherwise, that should they proceed and pronounce sentence against the King, "that this Kingdom may be free of all the desolation, misery, and bloodshed that inevitably will follow them." Moreover, as the Earl of Lothian relates in his letter to Charles II. in 1660, they "dealt with the Ambassadors of France and Holland, and with all other persons, that in any manner could have helped to hinder that most wicked Act," and they likewise endeavoured, up till January 29, the day before the King's execution, to entreat Fairfax

¹ Or Glendonning; he was Provost of Kirkcudbright.

² *Acts of Parliament*, vol. vi. p. 424.

and Cromwell to interpose their authority to save the life of Charles. The letter of the Commissioners addressed to Lord Fairfax is already printed at page 238, but that to Cromwell is of equal importance, and runs as follows :—

SIR, Wee haue upon severall occasions earnestly solicited you to contribute your best endeavours for preservation of his Majesties person, and this day wee haue beine thrice seeking you, twice at your lodging and once elsewhere, but missed the opportunity of meeting with you, whereof wee were very desierous, so much the more that wee haue received the comands of the Estates of the Parliament of Scotland to wait upon you, and earnestly to intreat your concurrence and assistance for preventing the taking away of his Majesties life, as we haue also written in a letter to his Excellency, which hee will comunicat unto you. Sir, you haue beine a witness, both formerly and of late, of the reall affection and tender respect which all the welaffected of the Kingdome of Scotland haue to the honour and welfare of England, and how zealous they haue manifested themselves, both by their actions and sufferings, to preserve the rights and interest of the Kingdome: Wherefore, wee haue the better ground to hope that you will use your endeavours that the right and interest of the Kingdome of Scotland in his Majestie may be duely considered, and tender regard had to their honour, who trusted their brethren of this Kingdome with the preservation of his person. Wee doe therefore make it our earnest request to you, in their names, to interpose and to improve your interest and power (which wee know to be very great) for preventing the taking away of his Majesties life; which, if you shalbe pleased to doe, it wilbe highly accounted of by the Parliament of Scotland, and be looked upon as a speciall obligation, and an addition to all your former kindnes and respects. Wee shall not neede to adde any argument as from our selves, but that it would be a testimony that wee haue not beine wanting in our duty, and enable us to giue evidence to the Kingdome of Scotland that wee haue beine faithfull in the discharge of our trust. And so we rest,

Your most humble Servants,

LOTHIAN.

JO. CHEISLY.

WILLIAM GLENDONING.

COVENT GARDEN, the 29th of
January 1649.

For the Right Honourable
LIEUT.-GENERALL CROMWELL.¹

Fairfax is said to have shown a strong desire to have the King's life preserved, but his power was not sufficient to prevent the execution. In the closing scenes of the life of that monarch, his conduct

¹ *Acts of Parliament*, vol. vi. p. 362.

could not but excite the deepest interest. When before the Court, on his trial, with great temper and dignity he declined the authority and refused to submit himself to the jurisdiction of the High Court of Justice. "Never monarch (says Hume), in the full triumph of success and victory, was more dear to his people, than his misfortunes and magnanimity, his patience and piety, had rendered this unhappy prince."

No sooner had the Estates of Parliament received certain intelligence of the King's execution, than they, in order to witness abhorrence thereof, at once and without delay proclaimed at the Cross of Edinburgh, his son PRINCE CHARLES, KING OF SCOTLAND. The King's title to the Crown of England and Ireland was also duly acknowledged. On the following day instructions were sent from the Parliament to their commissioners at London "to come away for Scotland;" and the next day, in an "Act anent securing of the Covenant, Religion, and peace of the kingdom," the Estates "declared, enacted, and ordained, that before the King, who now is, be admitted to the exercise of his Royall power, he shall leave all Counsell and Counsellors prejudiciall to Religion, and to the Nationall Covenant, and to the Solemn League and Covenant." The expediency of this resolution became afterwards very apparent.

Whitelocke, in his *Memorials* (February 26, 1648-9), says—"The Speaker acquainted the House with a letter the Scots Commissioners sent him, at their going away, which was without leave; the letter was full of bitterness against the Parliament, and their late Proceedings against the King, the House of Lords, and the secluded members."¹

Before the Commissioners could leave London, they presented to Parliament the paper, on February 24, recapitulating past events since 1642, which is printed at pages 239 to 246, under this title—

"THE DESIRES of the Commissioners of the Kingdom of Scotland, that both Houses of Parliament may sitt in freedome, for settling of

¹ *Memorials of the English Affairs* (1625-1660). Lond. 1732, folio, p. 384.

Religion according to the Covenant, and that King Charles the Second (upon just satisfaction given) may be admitted to the Government of these Kingdoms. Together with their PROTESTATION against all proceedings to the contrary."

Two days later, when this bold Statement and Protestation¹ was read to Parliament, so much indignation was excited, that the House, upon "taking the same into their serious consideration," declared that the said paper, "subscribed by the Earle of Lothiane, Sir John Chiesly, and William Glendoning, in the name of the Kingdome of Scotland," "doeth containe much scandalous and reproachfull matter against the just proceedings of this Parliament, and an assuming on the behalf of that Kingdome to have power over the lawes and government of this Nation, to the high dishonour thereof."

This reception was, indeed, to be expected; Parliament, on the 6th of that month, having abolished the House of Peers in Parliament as useless and dangerous; and on the following day passed an Act for the abolition of Monarchy, and the erection of a Council of State for the government of the Kingdom. The Speaker was likewise authorised to address a letter, in the name of the Council of State appointed by authority of the Parliament of England, to the Parliament of Scotland, to know, Whether they owned and justified the said paper, signed by the Earl of Lothian and the two other Commissioners?

On the same day it was further "Ordered, That the Lord Lothian, Sir John Chiesley, and Mr. Glendoning, Commissioners of the Kingdom of Scotland, shall have a guard set on their lodging, to secure them from violence; and also to restrain them from communication with any, by whom the sedition, contained in their papers, dated the 24th February 1648[-9], might be promulged." Orders had meanwhile been secretly conveyed from the Estates of Scotland to their Commissioners, to proceed, along with Mr. Robert Blair,

¹ This paper, which is of considerable length, was not inserted in the Journals of the House, but was printed at the time, and is inserted in the *Acts of the Scots Parliament*, when produced and read, March 7 (vol. vi. pp. 404-407).

to Holland, as a deputation to the King, who had taken refuge in that country. Having put themselves in deep mourning for the late King, they arranged to embark in a vessel at Gravesend, to which they repaired, immediately after sending the preceding document to the English Parliament.¹ But when about to embark, they were arrested under a warrant from Colonel Harrifon, and committed close prisoners in the Block-house at Gravesend.

The Commissioners, after being thus kept for some days, were sent with a troop of Cromwell's horse, under the command of Captain Dolphin, to Berwick, there to be detained, "unless the States of Scotland did own their proceedings." This the Committee of Estates forthwith did, declaring that "the Earl of Lothian, Sir John Chieflly, and William Glendoning, have behaved and demeaned themselves wisely, faithfully, and diligently, in observance of the instructions and according to the warrants given them, and approve of all their proceedings in relation thereunto; and for their great pains and faithfulness therein, ordains the Lord Chancellor, President of the Committee, and in name thereof, to render them hearty thanks."²

During Lord Lothian's absence, the Committee of Estates had deprived William, Earl of Lanerick, of the office of Secretary of State for Scotland, as a Malignant whom "the Act of Classes" declared incapable of holding any place of public trust;³ and William, Earl of Lothian, without his knowledge, March 10, was appointed by Parliament to the vacant office. Charles the Second, by patent, afterwards confirmed this appointment.

The Lord Chancellor Clarendon, whose partiality as a historian is well known, and who appears to have taken some dislike to Lord Lothian, says "that when the Earl of Lanerick was deprived of being Secretary of State (in 1648), that office was conferred upon the Earl of Lothian; who, in the beginning of the Rebellion, had been employed by the conspirators into France, and coming

¹ *Life of Robert Blair*, p. 217.

² *Journals, House of Commons*, vol. vi. p. 151.

³ *Acts of Parliament*, vol. vi. pp. 355, 370.

afterwards into England was imprisoned thereupon, and being after set at liberty continued amongst those who, upon all occasions, carried the rebellion highest, and shewed the most implacable malice to the person of the King." Lord Clarendon overlooked the fact that although Lord Lothian was employed by Parliament to proceed to France, the King, jealous of what he considered to be some encroachment on the royal prerogative, furnished him with the "Instructions for our right trusty and right wel-beloved cousin and counsellour [William] Earl of Lothian, whom we have thought fitt to employ to our deere brother, the French King, upon these instructions following," as at page 142; and there is abundant proof that Lord Lothian confined himself to these. Farther, on his return from France, after a long and severe imprisonment he only obtained his liberty *in exchange* for Colonel Goring; the cause of his imprisonment being, not for any treason committed, but for refusing to take some oath against his conscience.

Again, on the erection of the High Court of Justice for the King's trial, Lord Clarendon says, that, notwithstanding all the artifices Argyll could use, the whole of Scotland was in a flame. Upon which, as Commissioners, William, Earl of Lothian, and two others, "were made choise of and presently sent away, that they might make all possible haste to Westminster; and were, immediately upon their arrival, to demand permission to wait upon the King, wherever he should be, and to receive from him such farther directions, as he should judge necessary for his service." After noticing what he calls their private instructions, and insinuating an agreement between Cromwell and Argyll, he adds, "After the King had been twice brought before the High Court of Justice, they gave in *their very calm protestation*," etc. No mention is made of the previous efforts of the Commissioners; and as to the Protestation itself, the reader can judge by turning to the Correspondence given in these volumes from page 229 to 246.¹

¹ *The History of the Rebellion and Civil Wars in England, to which is added an*

In the "Compt maid be Sir James Stewart, of Kirkfeild, knycht, Thefaurer of the Excise," from March 1648 to May 1, 1649, we find in the Discharge, the following payments on account of the Commissioners who had been sent to London at the time of the King's trial and execution :—

Item, to Michael Giffin for his charges in ryding post to London, be publick ordour in Januar 1649	-	-	-	-	£300	0	0
Item, to Lieut-Generall David Leslie for intelligence, conforme to his receipt, 14 Apryle 1649	-	-	-	-	610	0	0
Item, to James Grahame to be employed for the use of the publick, direct be the Erle of Lowthian, etc., 17 Febr. 1649	-	-	-	-	240	0	0
Item, to the Erle of Lowthiane, the fowme of tua hundredth pund sterling, for his charge as one of the Commissioners at London, in Januar 1649, conforme to his receipt, 21 Januar 1649	-	-	-	-	2,400	0	0
Item, to William Glendonyng, as one of the Commissioners, etc.	-	-	-	-	1,200	0	0
Item, payde to Androw Balfour in name of Robert Inglis, for the use of the Commissioners at London, in Februar and Marche 1649	-	-	-	-	13,837	6	3

The Attestation of these Accounts, at Edinburgh, February 12, 1650, contains the signatures of Loudoun, Lord Chancellor, Argyll, Caffillis, and others.¹

In the negotiations with Prince Charles, it was not to be expected, from the prevailing state of public feeling in Scotland, that he would receive any unconditional invitation. The Commissioners of the Church and Kingdom of Scotland appointed to proceed to the King, then resident at the Hague, were John, Earl of Caffillis, George Wynrame of Liberton; and of the Clergy, Mr. Robert Baillie and Mr. James Wood. They found the King influenced by the exiled royalists or the parties referred to in the previous Act, and in particular by Montrose, Lauderdale, and Lanerick, who persuaded him that he might be received, without conditions, by military force.

historical view of the affairs of Ireland, by Edward, Earl of Clarendon. Oxford, 1826, vol. vi. pp. 95, 274, 277.

¹ In the preface to the *Diaries of the Lairds of Brodie*, Spalding Club, 1863, p. xxiii., will be found extracts from the same accounts of payments to those Commissioners, who had been sent to Charles the Second, at the Hague, in March to June 1649.

The Marquefs of Montrofe, who was at that time in Bruffels, on hearing of the death of Charles, was fo deeply affected, that when his chaplain Dr. George Withart (according to his biographer), in order to rouse him from a state of defpair, urged, that it was the duty of all good fubjects to avenge his murder, and to devote their lives to the reftoration of the young King, he exclaimed,—“It is indeed, and therefore I fwear before God, angels, and men, I will dedicate the remainder of my life to avenging the death of the Royal Martyr, and re-eftablifhing his Son upon his father’s throne.”¹ Or, in the words of the celebrated lines by the Marquefs, “Great, Good, and Juft” (but which found very like bombaft),

I’ll fing thine Obfequies with trumpet founds,
And write thine Epitaph in blood and wounds,

In profecuting this heroic refolution, the Marquefs himfelf became a martyr. He firft landed in Orkney in March 1650, and in April he made his defcent on the mainland in Sutherland. He met with much lefs fupport than he had vainglorioufly anticipated, and was furprifed and defeated by Lieut.-Colonel Strachan at Corbiesdale, April 26, 1650. Although he efaped from the field, after fome days’ purfuit he was feized and carried prifoner to Edinburgh by David Leslie, and, in a vindictive fentence that reflects no credit on Argyll, Loudoun, and other adherents of the Government, was condemned to fuffer an ignominious death upon a gibbet at the Crofs, May 21. When tried before Parliament he juftified all his proceedings, alleging that he had commiffions from the King for all that he did. His inhuman fentence has been afcribed to the Marquefs of Argyll, yet he is faid to have abfented himfelf on the occafion; and, in a letter, dated the following day (fee p. 262), to the Earl of Lothian, who at this time was abfent with the Second Commiffion fent to treat with the King at Breda, he briefly alludes to the fate of Montrofe.

On the return of the Commiffioners from the Hague, in July 1649,

¹ Napier’s *Life of Montrofe*, 1840, p. 447.

having failed in their object, they presented a report to the Parliament, and also to the General Assembly, containing copies of the several papers interchanged with Charles the Second in the course of their negotiations. Most of these papers were published officially at the time under the following title:—"The Proceedings of the Commissioners," etc. Edinburgh, printed by Evan Tyler, 1649. 4to, pp. 30.¹

A renewal of the invitation to the King having been proposed, as he had removed from the Hague first to Paris and then to Jersey, he wrote to the Estates desiring that the Commissioners might, as a more convenient place, meet him at Breda. On March 7, 1650, a second commission was accordingly granted by the Parliament "to John, Earl of Cassillis, William, Earl of Lothian, Alexander Brodie of that ilk, John Winraham of Liberton, Sir John Smith, and Alexander Jaffrey, to repaire to the King's Majestie at Breda, to treat with his Majesty upon the grounds of the former desires presented to him at the Hague, be the Commissioners of the Parliament of this Kingdome according to the Solemne League and Covenant, etc." To their number were added, on the part of the Church, Robert Blair, George Hutcheson, and John Livingston. They were instructed not to extend their treaty beyond thirty days.

Along with their Instructions, printed in the Acts of Parliament of that date, a letter of credit was given to them, of this Kingdome, which authorised them "to borrow beyond seas, upon the credit of this Kingdome, the summe of three hundred thousand pounds (declaring this warrant to be a sufficient security to the lenders; and ordaining the great seal of this Kingdome to be appendit therto)."²

A meeting of Parliament was held at Edinburgh, May 25, 1650, when a letter from the King's Majesty to the Parliament was read,

¹ The first portion, or the Report to Parliament, may be found in the *Acts*, vol. vi. pp. 451-459. The other portion, containing the Report of the Church Commissioners, is given in Baillie's *Letters and Journals*, vol. iii. pp. 458-521.

² *Acts of Parliament*, vol. vi. p. 514.

dated Breda, May 12, showing that he was heartily sorry that James Grahame (Montrose) had invaded this Kingdom, and how he had discharged him from doing the same; and earnestly desires the Estates of Parliament to do himself that justice as not to believe that he was accessory to the said Invasion.

"The Marquess of Argyll reported to the House, that himself had a letter from the Secretary, the Earle of Lothian, which show him that his Majesty was no wayes sorry that James Grahame was defeat, in respect (as he said) he had made that Invasion without, and contrary to his command."¹

The King, on hearing of the defeat and capture of Montrose, found himself constrained to accept the terms that were imposed, and signed the Covenant.² Along with the Commissioners he forthwith embarked for Scotland, and having landed at the mouth of the Spey, he arrived at Aberdeen in June 1650. The "malignants" who accompanied him landed at a different part of the coast, but they were by the Act of Classes excluded from any share in opposing Cromwell.

As events happened, it was an unfortunate result of the treaty at Breda, that Charles was brought to this country without sufficient security being given, to the satisfaction of the Commissioners, of his sincerity when he undertook to maintain the Covenanted religion in Scotland. This is fully admitted by one of the Commissioners, Alexander Jaffrey, Provost of Aberdeen, who says:—

"That having gone (to Holland, in the year 1649) in the simplicity of our hearts, minding what we conceived to be duty, it pleased the Lord to bring us safely off without any snare or entanglement.

¹ Balfour's *Works*, vol. iv. p. 25.

² "Report made to the Estates of Parliament of the Kingdom of Scotland, by their Commissioners after their return from the King's Majesty out of Holland. Along with the Papers interchanged betwixt His Majesty and the said Commissioners, as they were reported in Parliament," from March 30 to June 1, 1649, are contained in the *Acts of Parliament*, vol. vi. pp. 451-459.

“But, being again sent there by the Parliament, in the year 1650, for that same business, we did sinfully both entangle and engage the Nation and ourselves, and that poor young Prince to whom we were sent, making him sign and swear a Covenant, which we knew, from clear and demonstrable reasons, that he hated in his heart. Yet, finding that upon these terms only he could be admitted to rule over us (all other means having then failed him), he sinfully complied with what we most sinfully pressed upon him. . . . In this he was not so constant to his principles as his Father, in yielding to this Act of so great dissembling.”

Another of the Commissioners, John Livingstone, minister of Ancram, wrote to Waristoun as follows :—

MUCH AND MOST WORTHILY HONORED, I can say no more of our business then is written in our publick letter to Mr. Douglass, which I know will be imparted to your Lordship. . . . They do not incline that the King be urged with the League and Covenant, and, as I hear of some, say that any Ordinance was for it in England is expired, and doeth not now bind. What to make of this I know not. It is like the King come to Scotland whether we agree or not. O, what a company is about him ! the quintessence of all that were thought evil counsellors before, and how either he will forsake them, or they leave him, I know not. Yesterday, D. Buckingham and Marq. Newcastle came to him. Look to yourself, and trust in God. I cannot promise what this treaty may bring forth. The Lord grant we may returne with a good conscience.—I am, my Lord, yours in all service,

JO. LIVINGSTONE.¹

BREDA, 26 March }
5 April } 1650.

Livingstone, in the Historical relation of his life written by himself, does not scruple to blame the Earl of Lothian and Wynrame, who, when “consulting what to do in reference to their last Instructions, they were of the mind that no application by papers should be made to the King anent these last late Instructions till they were arrived in Scotland, saying, that if they did it, it would provoke the King to take some other course, and not to go to Scotland at all.”²

¹ *Select Biographies* (Wodrow Society), vol. i. 1845, p. 258. See also the preface to Brodie's *Diary* (Spalding Club) for more minute notices of the Scottish Commissioners' proceedings while at Breda.

² *Ibid.* p. 181.

The English Parliament, on learning of the arrival of Charles in Scotland, immediately determined to carry the hostilities into that country, under the joint command of Lord Fairfax and Oliver Cromwell. Fairfax having declined to accept, the Parliament, June 25, appointed Cromwell Captain-General of that expedition, and within three days he set forward from London towards the North.

On his arrival in Scotland, Cromwell found himself opposed by General David Leslie and Lieut.-Colonel Strachan, who, being strongly entrenched, were not inclined to hazard an engagement. In writing from Muffelburgh, July 30, Cromwell says, "I believe they would rather tempt us to attempt them in their fastness, within which they are entrenched; or else hoping we shall famish for want of provisions:—which is very likely to be, if we be not timely and fully supplied." After a month's manœuvring, he again writes, September 2, from Dunbar, "We are upon an engagement very difficult. The enemy hath blocked up our way at the Pass of Copperspath, through which we cannot get without almost a miracle. He lieth so upon the hills that we know not how to come that way without great difficulty: and our lying here daily consumeth our men, who fall sick beyond imagination."¹

Had matters been allowed to continue for a few days in this state, there seems little doubt that Cromwell and his forces would have re-embarked in their vessels at Dunbar, for want of provisions; but so confident were the Scots of success, that Leslie, being controlled by a committee claiming the authority of Church and State, who were impatient of the fatigues to which they had been exposed, was constrained unwillingly to leave his commanding position on the adjacent hills. On the morning of the 3d of September this movement was so unexpected that Cromwell, with devout exultation, exclaimed, *The Lord hath delivered them into our hands*. The result was a complete victory obtained over the Scottish Army.

¹ Carlyle's *Oliver Cromwell's Letters and Speeches*. Letters cxxxv.-cxlvi.

Whitelocke, September 17, records, "That upon news of the victory at Dunbar being brought to the King, 'He thanked God that he was so rid of the Scots, and said, The Kirk might now see their error in prohibiting him to be in person with their Army, and keeping out the English and the rest of his followers.' That he is now with the Army about Stirling."¹

General Leslie himself, in the letter printed at p. 297, addressed to the Marquess of Argyll, September 5, 1650, thus modestly refers to his defeat. "Concerning the misfortune of our Army I shall say nothing; but it was the visible hand of God, with our own lacines, and not of man, that defeat them, notwithstanding of orders given to stand to their armes that night. I know I get my owen share of the fault by many for drawing them so neer the enemy, and must suffer in this, as many tymes formerly, though I tak God to witness wee might have as easily beaten them, as wee did James Graham at Philipshauch, if the officers had stayed by their troops and regiments."

Robert Baillie mentions that upon the defeat at Dunbar, an attempt was made to remove General Leslie from the command of the Army:—

"After the woefull rout at Dunbar, in the first meeting in Stirling, it was openly and vehemently pressed to have David Leslie laid aside, as long before was designed, but covertly, by the chiefe purgers of the tymes. The man himselfe did als much presse as any to have libertie to demitt his charge, being couered with shame and discouragement for his late unhappines, and irritate with Mr. James Guthrie publict invectives against him from the pulpit. The most of the Committee of Estates, and Commission of the Kirk, would have been content to let him goe; but finding no man tolerable able to supply his place, and the greatest part of the remaining officers of horse and foot peremptor to lay downe, if he continued not; and after all tryalls, finding no mal-administration on him to count of, but the removeall of the Armie from the hill the night before the rowt, which yet was a consequence of the Committee's order, contrare to his mind, to stop the enemies retreat, and for that end to storme Brockf-

¹ *Memorials of English Affairs*, Lond. 1712. p. 472.

mouth House so soone as possible ; on these considerations, the State, unanimously, did with all earnestness intreat him to keep still his charge." ¹

The Earl of Lothian's official duties as Secretary of State may have necessarily prevented him from being present with the Scottish Army, and also from accepting the appointment that is thus intimated by Whitelocke, Sept. 20 :—"Letters, that the King insists to have the Lord Ruthven General ; but the Kirk will have none but the Lord Louthian ; and the old Lord Leven is laid aside with dishonour." ² The Earl of Leven, on account of his age, had previously been persuaded to resign, yet he accompanied General David Leslie as a volunteer at Dunbar, without any command. Patrick, Lord Ruthven, created Earl of Forth and Brentford, was also far advanced in life, and died February 17, 1650-1. ³

After the battle of Dunbar, Cromwell at once took possession of Edinburgh and Leith, and laid siege to the Castle. In December, "Dundas and Major Abernethie (says Baillie) hes most basely delyvered the Castle to Cromwell ; all the Ministers saw the treacherie, and protested against it. Waristone, Sir John Chieslie, and the Provost of Edinburgh, who put them in that trust, contrare to the minds of others, have little credit by it." ⁴

In the interim General Leslie had retired with his forces to Stirling to keep the passes. Some demonstrations made in the West proved unsuccessful, and Cromwell, in an engagement at Hamilton, completely overcame and routed the force opposed to him. He thus "enlarged his quarters now where he pleases be-fouth Forth. However our grieve and shame for this defeat be great, yet the loss of men was much within a hundred, and the prisoners are not few many ;

¹ *Letters and Journals*, vol. iii. p. 111.

² *Memorials*, etc., p. 742.

³ THE DUKE OF BUCCLEUCH AND QUEENSBERRY printed as a contribution to the Roxburghe Club an important volume entitled, "Ruthven Correspondence: Letters and Papers of Patrick Ruthven, Earl of Forth and Brentford, 1615-1662. Edited by the Rev. William Dunn Macray, M.A." London, 1868, 4to.

⁴ Baillie's *Letters and Journals*, vol. iii. p. 128.

and among neither, any man of note, but (who is now prisoner) Collonell Kerr. Strachan indeed, the chief author of all this mischieffe, had before foullie betrayed his trust, and since is gone unto theemie."¹

The sad divisions which at this time rent the Church of Scotland into the two parties known as Resolutioners and Protesters, and proved so calamitous to the Kingdom, may be briefly noticed. John Nicoll, in his *Diary of Public Transactions from 1650 to 1667*, says under the date October 1650—"The Kingdom being thus in a pitiable and deplorable condition and sad estate from divisions that still increas'd . . . Divisiounes still increst in Kirk and Kingdome, for the Ministrie gave out their Declaratiounes, both aganes the King and the Commisioneris sent to him to Gairfey [Jerfey] and Holand, alledgeand that his inbringing to Scotland was by crooked wayes, and that the fynnes and provocationes of the Kinges hous were not repented, and much moir of that foirt; as also declairand that David Leslie's army was not for religioun, bot for the King; and that the army in the north was altogidder fet in malignancie and wald be the Kinges ruyne."²

On September 12, 1650, the Commission of the General Assembly which met at Stirling, prepared and issued "A shorte Declaratione and Warninge to all the congregations of the Kirke of Scotland from the Commissioners of the General Asssembly." This was accompanied with "Caus'es of a soleme publicke humiliatione upone the defait of the army, to be keepit throughout all the congregations of the Kirk of Scotland."

Many of the ministers of the province of Fife at first refused to read the above papers, and Balfour adds—"As some did not sticke to say that five or six men were too bold to give out reasons to a whole church without a more frequent [numerous] meeting of the Commission of the General Asssembly." It is certain that these papers

¹ Baillie's *Letters and Journals*, vol. iii. p. 107.

² Nicoll's *Diary*, printed for the Bannatyne Club, Edinburgh, 1836, 4to, p. 32.

expressed the sentiments of James Guthrie and some of his brethren who became leaders of the "Protesters," and gave great offence to the more moderate members in the Church.

At the meeting of the Committee of Estates, held at Perth, October 11, 1650, a Remonstrance from the Provincial Synod of Fife was read, containing remarks on the "crooked ways," as they called them, of the Commissioners carrying on the treaty with the King, which called forth great animadversions. The Lord Chancellor desired the Ministers to inform themselves better in some particulars; and the Earl of Cassillis desired the Ministers to condescend upon the particulars of such "crooked ways;" while the Earl of Lothian said, "That his carriage in that business was als cleire, als honest, and straight, as any minister's in the World."¹

After several delays from time to time, arrangements were made to crown the King² on the first of January 1651, and thereafter, "with all our nobility and gentry," to proceed to Stirling, "where it will be resolved, Whether to go with the body of our army to England, leaving such a party here as to keep and guard the passes of Forth against the enemy; or, with the [bodie of our] army to attend Cromwell here, and to send General Massey to England with some thousands of horse and dragoons. To the former the most part inclines."³ The Coronation accordingly took place at Scone, which had long been the ordinary place of the coronations of the Kings of Scotland. Along with the sermon by Robert Douglas on the occasion, there was published an account of "The form and order of the Coronation of Charles the Second; King of Scotland, England, France, and Ireland: as it was acted and done at Scoone, the first day of Januarie 1651. Aberdene: Imprinted by James Brown,

¹ Balfour's *Works*, vol. iv. p. 119.

² Balfour states that along with himself as Lyon King-at-Arms, the Earl of Lothian, Secretary, the King's Advocate, and six others, "were appointed, to consult anent the setting down the Forme of the King's Coronation" (vol. iv. p. 123).

³ Baillie's *Letters and Journals*, vol. iii. p. 107.

1651." Among the noblemen's sons who acted as train-bearers to the King, the Lord Newbattle and another son of the Earl of Lothian are mentioned.

Meanwhile Cromwell overran the West of Scotland, and took possession of Glasgow, without encountering much opposition, and for some months continued watching the Scottish Army, which had encamped near Stirling.

The contentions of the two opposing parties of Resolutioners and Protesters proved of no small advantage to Cromwell, who gave ministers and people all due liberty. "As for our present state (says Baillie), so many and grosse faults wes pressed against Argyle, the Chancellour, Louthian, Balcarras, and others, that in all reason they behooved to be laid aside, and our State modelled of new; for that no active nobleman should have had any hand therein."¹

In the Parliament held at Perth in March 1651, on the 26th of the month, *Domino Rege presente*, Sir James Balfour records that a debate had taken place regarding the Commission to be given to the Committee of the Army and the persons to be employed. After a debate of four hours, without any conclusion, the Lord Chancellor, Loudoun, gave in a dissent to all that was debated and not clearly accorded to, by the commission of the General Assembly. In this dissent he was supported by Argyll, Cassillis, Lothian, and nine others; and Balfour adds, that while the dissent was ordered not to be recorded, "the King's Majesty spoke much, and insisted verely far for taking in the other quarter; all spoke in so plain terms to the understanding of the whole house, so that the Campbells faction, and the Hamiltons, was clearly understood of all. And the Lord Chancellor and the Secretary, Lothian, did check the King much for his inconstancy (as they called it) in deserting his best friends that brought him to this country, put the crown on his head, and now, as it seemed, adhered to these that had done his Father the worst offices

¹ Baillie's *Letters and Journals*, vol. iii. p. 119.

that subjects could doe to a prince, contrair his own words, promifes, wreatt, oaths and declarations, both private and public.”¹

It was finally refolved by the King and his advifers, after much debate, to march into England, and on July 31 the Scottish Army, under the command of William, Duke of Hamilton, who, chiefly on account of his rank, had been appointed general, “marched from Stirling on the way to Carlisle. The King left behind him the Earl of Crawford, Balcarras, with old General Leslie (the Earl of Leven), and fome others, to raife the North, and other forces, for the defence of the Kingdom.”²

Cromwell, on receiving intelligence of this unexpected step, immediately followed the Scottish Army into England, but they had proceeded as far as Worcester before he overtook them. Here they suffered a fignal defeat, September 3, 1651. Cromwell admits that it was a hard contefted battle; “indeed (he fays) it was a ftiff bufinefs—a very glorious mercy—as ftiff a conteft as I have ever feen.” Writing to Parliament, Cromwell further adds, “The dimensions of this mercy are above my thoughts. It is, for aught I know, a crowning mercy.” It may be confidered, indeed, as the laft attempt of the Royalifts, and proved fatal to the Government of Scotland.

The King himfelf made his efcape, and after many adventures, reached France about the end of October, to pafs for fome years an inglorious career. Lord Hailes published an interefting “Account of the Prefervation of King Charles II. after the Battle of Worcester, drawn up by himfelf, to which are added his Letters to feveral perfons.”³ Among the prifoners taken at the battle were William, Duke of Hamilton (who foon after died of his wounds), the Earls of Rothes, Kellie, and Lauderdale, with “many officers of great quality, and fome that will be fit fubjects for your juftice.” General Leslie and Lieut.-General Middleton, who had efaped with the horfe, were intercepted in Lancafhire, and

¹ *Balfour*, vol. iv. p. 275. ² *Life of Robert Blair*, p. 279. ³ Glasgow, 1766, 8vo.

carried prisoners to Chester, and, with the others, committed to the Tower in London. "Next day, September 12, the common prisoners (being driven like a herd of swine) were brought through Westminster into Tuthillfields (a sadder spectacle was never seen, except the miserable place of their defeat), and there sold to several merchants, and sent to the Barbadoes; the colours taken were likewise hanged up in Westminster-Hall, with those taken before at Preston and Dunbar."¹

Cromwell had left General Monk behind him in Scotland with a force of 5000 men, and the reduction of that Kingdom was speedily accomplished. The Castle of Stirling having been left in the charge of a body of Highlanders, unaccustomed to a siege, they retired to their own districts, laden with plunder, leaving no alternative to the Commander than to capitulate, August 14. At Dundee there was a more formidable but unsuccessful resistance; and the Estates of Parliament having convened, at Eliot or Alyth, in Forfarshire, to concert measures for the relief of the former town, were themselves surprised and taken prisoners. Balfour states "they were betrayed to the English and surprised by 500 horse . . . stripped of all they had, and carried to Broughty (at the mouth of the Tay), and there shipped off for England. Being landed at Tynemouth Castle, they were from thence brought to London. Among the prisoners were the Earls of Leven, Craufurd, and Marishall, with other persons of note, and several of the clergy." This hastened the siege of Dundee, which was taken by General Monk on the 1st of September, with great slaughter.² The subsequent attempts of the Earl of Glencairn, in the Highlands were alike unsuccessful.

In the present series of letters will be found an important paper addressed by the Earl of Lothian to Charles the Second, August 6, 1660,³ in Vindication of his conduct, when soliciting his continuance in

¹ Heath's *Chronicle*, Part ii. Lond. 1664, p. 553.

² Balfour's *Annals*, vol. iv. pp. 314, 315.

³ We are indebted to the accurate researches of Mr. Andrew Gillman, Solicitor, London, for pointing out and transcribing this interesting letter to the King, August 9, 1660, which is printed at p. 431.

the office of Secretary. It furnishes various particulars in regard to Lord Lothian's personal history during the time of the Commonwealth. He explains how he was prevented accompanying or attending the Duke of Hamilton to England in 1651, and states how he had a "bark in readiness" to have joined the King but for the defeat at Worcester; and when no longer called upon to exercise the office of Secretary, that he retired to his own house at Newbattle. Here, he says, from its proximity to Dalkeith, the head-quarters of the English, he was, "for two years exposed to great suffering and ruin; yet he never disclaimed the King, never accepted office or employment, never passed any writs under the Seal, but preserved his Majesty's Signet until he was enabled to offer his resignation to the King." This Vindication is written in a clear straightforward manner, although it may seem rather obsequious in the frequent references of professed attachment "to his Majesty, his blessed Father, and the Royal Family."

The Laird of Brodie, however, in his Diary, says, August 31, 1655, "The M. [of Argyll] told me of the E. Lothian and Dyfart their tampering with the Protector, and inclinations to take employment. I desire to consider and feare before the Lord, and to examine my own heart!" etc.¹

Again, September 8—"I cam to Edinburgh this night. By another letter from the E. of Lothian, I thocht that he dispen'd with my coming, etc. 11.—I was enclind to goe to London: 1. Becaus it was informd and apparent that Lothian would deal perchance for himself, and not for others. 2. He had many things of his own to clogg him," etc.²

Brodie, in reference to himself, May 23, 1653, had previously recorded, "I have resolved and determined, in the Lord's strength, to eschew and avoid employment under Cromwell. I say, 'Tis in the Lord's strength"—being fully aware of his "own unstedfastnesses."³ He accord-

¹ The *Diary*, etc. (Spalding Club), 1863, p. 150. ² *Ibid.* p. 153. ³ *Ibid.* p. 41.

ingly resisted any requests made to him, to accept of office, until after Cromwell's death, when he resumed his seat on the Bench, December 1658, and was one of the English Judges who were superseded after the Restoration. The Earl of Lothian, however, seems to have resided almost constantly at Newbattle during the whole time of the Commonwealth, except from June 1655 to May 1656, when he was in London vainly endeavouring to obtain a settlement of his claims for pensions or for money advanced, or due upon bonds granted by himself and his colleagues, on public credit.

Amidst these troubles, the Earl of Lothian had sent his two eldest sons abroad to complete their education under the charge of Mr. Michael Young,¹ as their tutor or governor. Many of his letters are preserved at Newbattle, but they are not of sufficient importance to be printed in the present collection. From these we learn that Annabella, Dowager Countess of Lothian, had died at Antwerp in the year 1652. On May 24, 1652, Young writes, "Lady Jean will be content (as I wrote before) of what your Lordship will appoint for her. I speake only afarre off. So she did not condescend to anything more particular." This Lady Jane Kerr was the youngest daughter of Robert, second Earl, and consequently sister to the Countess of Lothian. Mr. Young with his two pupils also paid a visit to their grandfather, the Earl of Ancram, at Amsterdam,² as already noticed, twelve months previous to his death, which took place in December 1654. His latter days (it has been alleged) "were embittered by the reflection that his favourite son, the Earl of Lothian, had been in direct opposition to the King, during the first years, at least, of his persecution."³ A later writer mentions the Earl of Ancram as one "whose incomparable loyalty, and whose elegant literary taste, rendered

¹ See page 35. Young took his degree of A.M. at Edinburgh, July 15, 1641, and of M.D. at some foreign University. "Mr. Michael Young, Doctor of Medicine," died in October 1675. (*Reg. Confirmed Testaments*, Edinburgh, April 25, 1677.)

² See pages 379, 385.

³ Douglas's *Peerage*, by Wood, vol. ii. p. 137.



him a conspicuous ornament to his country, at a period when it unhappily possessed little of either;" and adds, respecting the Earl of Lothian, that while "the chief care of whose parents had been to fix in his mind, even from his cradle, an attachment to monarchical government, and an affectionate veneration towards the person of the reigning King," he yet "became, by a strange perverseness, perhaps the most sincere and bitter enemy among his countrymen to both. In this double rebellion, however, against his father and his prince, he had the merit at least of consistency, for his fidelity to the cause which he had espoused was invariable, and even unsuspected, and his motives wholly disinterested.¹ It was natural that Lord Ancram, all his life being attached to the Court, should feel regret that his eldest son adopted a different course, while his interest seemed to point in the opposite direction. But the Earl of Lothian's letters to his father are remarkable in breathing the utmost filial respect and affection, and clearly show how unfounded is the statement of his hostility to "monarchical government" or "the person of the reigning king." Lord Ancram's letters are not less affectionate, while they manifest that to some extent his sympathies were with the party to which his son adhered.

The Restoration of Charles the Second, and his triumphal entry into London in August 1660, made great changes in all parts of his dominions. The Earl of Lothian, like many others, proceeded to the English Court. He had an interview with the King, and presented to him the Vindication alluded to. The King, we are told, heard him patiently and favourably, while accepting his resignation, and promised "to do him good things." The only immediate benefit he seems to have received was confirming the appointment of his second son as Director of Chancery in Scotland, by patent, February 27, 1661.² Sir George Mackenzie, however, states that on his

¹ Lodge's *Portraits of the Illustrious Personages of Great Britain*.

² *Acts of Parliament*, vol. vii. p. 44.

resignation as Secretary, he received the grant of a pension of £1000;¹ but the letter of his brother Charles, Earl of Ancram, December 1663, renders it more than doubtful if Lord Lothian ever received any part of such pension. When he spoke to Lord Rothes, concerning it (Lord Ancram says), "hee has told mee freely, that there are more pensions and gifts then there is a revenew, so that hee must acquaint the King with it, and receive his directions what must be done; so that your concerne will bee to address to his Majesty, for no doubt but divers of the pensions will be suspended."

The Marquess of Argyll was not so fortunate. He, too, proceeded to London to welcome Charles, but was not even admitted into his presence, but committed prisoner to the Tower, and there detained until sent down to Scotland. He was tried, on May 25, and being condemned for high treason, his sentence was, that his head be severed from his body, at the Cross of Edinburgh, on Monday, July 27, 1661, and "affixed in the same place where the Marquess of Montrose's head was formerly." The Earl of Lothian, and his eldest son, who was married to a daughter of Argyll, along with many other friends, accompanied the Marquess to the scaffold; and Lord Kerr, in a letter to his wife, describes the demeanour of the Marquess as "heavenly, christian, grave yet magnanimous and resolute; truly (he adds), I was ever a lover of your Father, but this last action of his hath made me an admirer lykewayes, and I am sure his behaviour this day hath galled very many of his enemies."

The Parliament having appointed the Lords of the Articles, they, in order to save the King's honour from the oaths he had sworn for the observance of the Solemn League and Covenant, resolved that it be annulled; and a General Act Rescissory was passed, May 28, 1661, rescinding and annulling the whole Proceedings of "the pretended Parliaments, from the commencement of the Civil War, as illegal,

¹ *Memoirs of the Affairs of Scotland*, p. 8.

injurious to his Majesty and his authority, and dishonourable to the Kingdom;" (and so) "prejudicial and are unfit to be any longer upon Record." In the Second Session of that Parliament, came in due course an "Act for the Restitution and Re-establishment of the Antient Government of the Church by Archbishops and Bishops," May 27, 1662. The same Parliament passed an Act containing the following Declaration, which all persons in public trust were required to subscribe:—

"I Do sincerely affirm and declare, that I judge it unlawful for subjects, under pretext of reformation, or any other pretext whatsoever, to enter into Leagues and covenants, or to take up arms against the King, or those commissioned by him, and all those gatherings, petitions, etc., that were used in the beginning and carrying on of the late troubles, were unlawful and seditious. And particularly that these oaths, wherof the one was commonly called the National Covenant, were and are in themselves unlawful oaths; and that there lieth no obligation upon me, or any of the subjects from the said oaths, to endeavour any alteration of the government in Church or State, as it is now established by the laws of the Kingdom."

The Earl of Lothian's friend the Laird of Brodie, in his Diary, July 29, says, "My nephew writ to me, there was much din about an oath which I gave to the English. Lord! thou knows I am frie of this. I heard Louthean, Craufurd, and others, refused the Abjuration. I desir to look up to God that it never may repent them of this."

This Act became a fruitful source of persecution. The Parliament imposed heavy fines upon all who refused to subscribe,¹ including the Earl of Lothian, who, but for the protection of powerful friends at Court, might have fallen a sacrifice to the malice of his enemies.

Charles, Earl of Ancram, used the influence which he possessed from his relationship to the family of the Earl of Derby, in behalf of

¹ In the Appendix to Wodrow's History, vol. i. No. xxxiii., is given a list of the fines imposed by Middleton by authority of Parliament in 1662. The first in the list is the Earl of Lothian, £6000. There are several others of the same amount, but only four of larger sums.—*Summa totalis*, £1,017,353 : 6 : 8 (Scots money).

his brother; and in a letter, dated London, December 13, 1663, he writes as follows :—

“ DEARE BROTHER, I am very fory that your affaires in the Parliament have no better suceefs; yet my Lord Treafurer did proteft that hee did all that lay in his power, but I have underftood fince that all the Lords of the Artickles were againe you except the Commiffioner and my Lord Lauderdaille, who banded for you as long as they could poffible, till they were cryed doune by all the reft, and that it was thofe two Lords only who were the caufe of your having a yeare’s time given you to compofe your bufinefs; and I hope it may not be impoffible but you may gett time from year to year till you fettle it.”

Lord Lothian ftill was unable to obtain any redrefs, as in like manner, Sir Robert Murray writes from Whitehall, April 9, 1666 :—

“ I received yours of 20 March. I was poffeffed with a very deep fenfe of your condition. But I confefs what you fay, together with what your friends lately come from Scotland tell me of it, hath hightned it exceedingly. . . . In a word, as things ftand, to forbear to do what is required for remitting the fines is look’t upon as a readines, if not a defign, to fubvert the government of Church and State; fo you may eafily judge what fpeed they are lyke to come that would offer to interpoze in the cafe. Yet Earl Lauderdale intends to reprezent your condition to the King, which to my apprehenfion is the higheft teftimony of kindnefs hee can give you. It is lyke you will learn this from his own hand.”

In reply to this letter, the Earl of Lothian, after thanking him for his kindnefs, fays (fee p. 475)—

I had fay’d no more at this time, but for what you have written that “to forbear to do what is required for the remitting the fynes, is looked upon as a readinefs, if not a defigne, to fubvert the Church and State.” I affure my felfe you have a more charitable opinion of very many that fcruple at the Declaration. For my felfe, I could not doe it when it excluded me from fitting in Parliament. I knowe no man in love with trouble or to be clouded or incapacitated; fomething there muft be that can not be digefted, fomething that ftraightens men’s fpirits, and if it be but weaknefs and miftakes, what cryme is that? and nowe, *as it is preffed for money, there is alfo fomething of credite in it.* He is lowe spirited that will be hyred to it, and be led after the chariott of fome men’s triumphs with the wretches hath fubfcrybed for money, that are not more faithfull fubjects then refusors. I will boldly fay, he lives not in the thrie kyngdomes loves the Royalty more, nor his Majeftie’s perfon, and that he may reigne in his full and high authority and power, than myfelfe. The Declaration is not the teft of loyalty. Becaufe in a parliament, a man doth not vote to every thing propofed, there-





Journal of Management Inquiry 17(1) 8-27

$$M_{\text{eff}} = M_0 \left(1 + \frac{\alpha}{2} \right) \approx M_0 \quad \text{for } \alpha \ll 1$$



fore he is disloyall and disaffected towards the King's service, hath designs to overturne the government,—what a consequence is this! The remedy would be many tymes worfe than the disease. . . . “I will conclude this letter with saying *I can not pay the fyne, nor the Exchequer dewes. I have but a meane portione reserved in lyfe-rent for my lyvelihood and the children gott upon my hand.* I have within these eight days married one of my daughters to a vassall of the Earl of Lauderdale's, the young Laird of Smeeton. I hope my Lord will protect her that I be not disinabled to give her the meane portione apoynted her; but if, for all I have said, *if I must be fyned or imprissoned for it,* let it be the Castle not the Tolbooth, and change the prison into banishment; for, for my Wyfe and children be provyded, send me to the Barbadoes.”

The fine of £6000 Scots, imposed upon the Earl of Lothian, is represented by £500 sterling. This may not be regarded as a very heavy sum, yet the great scarcity of money in Scotland at this time, which appears from the Registers of Deeds of Confirmed Testaments, and other authentic writings, proves it to have been no inconsiderable amount.

In 1663, December 13, Brodie writes to the Earl of Lothian—“My Lord Ker, your Lordship's sone was pleased the last week to call for me, and he did signifie to me that your Lordship was about some transaction with him, whereby he was to become my debtour for that little money, your Lordship restis me.” This “transaction” evidently refers to an assignation of his whole estates which the Earl of Lothian eventually made in favour of his son Robert, Lord Kerr of Newbattle, August 5, 1665; and explains the words in the above letter respecting his having retained “a mean portion” of liferent in his estates. The difficulty which he experienced in paying the fines, and the danger of his estates being forfeited, as well as the trouble to which he was exposed from his being one of the securities for large sums advanced for the public service whilst Charles II. was in Scotland, no doubt induced Lord Lothian to take this step. But these pecuniary embarrassments seem at last to have resulted in what could not but have been a most painful sacrifice—the loss of his paternal estate of Ancram, after being in the possession of his family for at least 130 years.

No papers or deeds have been found which can explain the precise time, or in what terms, the transference of the property of Ancram actually took place. It was not by forfeiture, nor, as far as we know, by a formal sale; and it must have been subsequent to the year 1660, when Ancram House was designed as the residence of Robert, Lord Kerr (who succeeded as fourth Earl of Lothian), upon his marriage with Lady Jane Campbell, daughter of the Marquess of Argyll,¹ whilst the earliest notice of any "Scott of Ancrum" occurs in the charter dated July 11, 1670, in favour of "Magister Joannes Scott," the ancestor of the present proprietor. It is certain, however, that nothing but the most pressing necessity could have induced the Earl of Lothian to part with the Estates and House of Ancram,² from which his father's title was derived and which still continues to be borne by the Lothian family.

On March 26, 1667, the Earl of Lothian suffered the greatest loss that could have befallen him, in the death of the Countess, after a brief illness. To the following list of their children, "her sadde and widdowed Husband," a few days afterwards, subjoined a character of Lady Lothian, which breathes the same heartfelt attachment which she herself in all her letters towards him so constantly expressed.

¹ Original Marriage-contract, (Lothian Papers at Newbattle).

² This beautiful place, in the parish of Ancrum, anciently Alnecrum, a few miles to the N.E. of Jedburgh, is situated on the south side of the water of Ale, about half-a-mile from its junction with the Teviot. The stream itself is remarkable for the many curves or bends in its course, with caves or dwellings of the ancient Britons on the north bank of the river. To the east of the town, the woods of Monteviot, one of the mansions of the Marquess of Lothian, bound the prospect. (*History and Antiquities of Roxburghshire*, by Alex. Jeffrey, vol. ii. p. 346.) The house, or castle was built in 1558, by "Robert Kerr and Isobel Home" (see plate of the ancient carved stone at Ancram House, p. 51), with many subsequent alterations or additions. It is minutely described by the Earl of Ancrum at p. 62, but was unfortunately destroyed by fire December 9, 1873.

**THE NAMES AND TIMES OF THE BIRTHS OF THE CHILDREN OF
WILLIAM, EARLE OF LoTHIAN, AND ANNE, COUNTESS OF
LoTHIAN, HIS WYFE.**

In the yeare 1631, the 26 November, Saterdag, ANNE borne. Died 30 August 1658. [Married to Alexander Frazer, Master of Saltoun.]

In the yeare 1633, the 6 September, Fryday, ELISABETH borne. [Married to John, Lord Borthwick, August 23, 1649.]

In the yeare 1635, the 13 January, Tewfday, JEANE borne. Died the . . . October 1636.

In the yeare 1636, the 8 March, Tewfday, ROBERT borne. [Afterwards Earl and Marquess of Lothian.]

In the yeare 1637, the 6 October, Fryday, MARGARET borne. Died the . . March 1643.

In the yeare 1638, the 22 December, Saterdag, WILLIAM borne. [Was knighted and appointed Director of Chancery.]

In the yeare 1640, the 28 March, Saterdag, MARY borne. [Married to James Brodie of Brodie, July 28, 1659. She died in March 1708, having predeceased her husband only a few days.]

In the yeare 1642, the 17 July, Sunday, CHARLES borne. [Ancestor of the Kerrs of Abbotrule.]

In the yeare 1645, the 7 March, Thurfday, HARRY borne. Died the 12 October 1648.

In the yeare 1646, the 26 June, Fryday, MARGARET borne. [Married to James Richardson of Smeaton in 1666.]

In the yeare 1647, the 3 August, Teufday, JOHN borne. [Died young.]

In the yeare 1649, the 24 Aprile, Teufday, VERE borne. Died the 17 of Aprile 1674. [Married to Lord Neil Campbell, second son of the Marquess of Argyll, January 28, 1668.]

In the yeare 1653, the 2 February, Wedensday, HENRIETTE borne. [Married to Sir Francis Scott of Thirlstane in 1673.]

In the yeare 1654, the 29 July, Saterdag, LILIAS borne. [Died unmarried.]

Anne, Countess of Lothian, the good and worthy mother off these children, sickened and tooke bed the 20th of March, Wedensday, 1667, and died upon the 26 off the same month, Teufday : ane woman extraordinary

in all the qualifications of goodnes, vertue, modesty, piety; a good wyfe, a good mother, a good woman; excellent in the government of her family and the ordering and provyding for it, and augmenting the estate of her house in the revenues of the lands, with the addition of wenning of coales by long labour and mutch charge and expenses; and a greate enlarger of the House of Newbattle, by faire newe buildings from the ground, and with much ornament and addition perfyting a begune worke, and beautifying the entries and accessses by many walls, and inclosures, and plantations of trees of all kyndes: a woman honored and beloved singularly of her husband, her children, friends, kindred, neighbours, vassals, tenants; affable and charitable to the poor, regraitted in her death by all, and of memory sweate and fragrant: This is attested by her most sadde and widdowed Husband,

LOTHIAN.

The 6 Aprile 1667.

His brother-in-law, Colonel Rich, having written a letter of condolence on the death of the Countess of Lothian, in reply, Lord Lothian says, July 18, 1667:—

“Your last was very feasonable in the affliction I lye under, it is foe full of Christian consolation and love and goodwill to me, that I have received it as a providentiall mercy to me. I have had indead a greate losse, as mutch (as to the world) as could befall me. I have loss’d ane excellent and verteous wyfe. . . . I stoope and lay my selfe lowe under His mighty hand, whoe doth every thing well, and can not doe but what is good and just and right in weight and measure. I doe see from the place I write this, and out att the windowe within two hundreth paces, the place where her earth rests untill the Resurrection. I bleffe God for her glory and happines, and that shee is free from the calamities and troubles of this miserable lyfe, in this evill and worste age of the world.”

This letter presents us with a very affecting picture, representing the widowed Earl, within three weeks of his wife’s death, seated at his library window, and looking out on the burial-place within the Abbey grounds, where her mortal remains were laid to rest “till the Resurrection.” Yet, with a resigned spirit, he adds, “I bleffe God for her glory and happines, and that shee is free from the calamities and troubles of this miserable life, in this evil and worst age of the world.”

The Earl of Lothian had other causes for saying that his lot had fallen on evil days. Besides the fate of some of his dearest

friends and relations, and his being disqualified from his seat in Parliament, he could not but feel deeply the changes that had taken place after the Restoration in matters connected with the Church as well as with the State. During Cromwell's few years' rule in Scotland with an iron hand, no interference was made with the forms of public worship peculiar to the Presbyterian Church. While under his government, the country may be said to have recovered much of its prosperity; commerce was encouraged, and justice was fairly administered by the English Judges. How much all these matters were changed through the ambition, the rapacity, and the insincerity, alike of Statesmen and of the new Prelates, is sufficiently known.

The Acts of Privy Council passed at Glasgow in October and December 1662, proved most oppressive and intolerant, causing nearly four hundred of the best and most useful of the clergy to resign their livings. They were ejected from their parishes, and their stipends being left unpaid, were in most instances without means to maintain their families, whilst at the same time the parishioners and others were prohibited, under severe penalties, from assisting them. Sixty years later, Wodrow industriously collected from the best sources of information, what appears, so far as it goes, a correct list of the Nonconforming Ministers to prelacy at this time. From this list a selection of the Presbyteries may be given to show the state to which the Church was reduced by the Court party and the Bishops, in the view of compelling the general adoption of Episcopal government.

Names of Presbyteries.	Nonconformist Ministers.	Conformists.
Edinburgh . . .	19 . . .	3
Dalkeith . . .	7 . . .	8
Linlithgow . . .	11 . . .	3
Glasgow . . .	14 . . .	3
Dumbarton . . .	7 . . .	6
Jedburgh . . .	11 . . .	5

Unless for the unfortunate disputes of the Resolutioners and Protesters, all the attempts of Middleton, Lauderdale, and Sharp, and their "faithless" supporters, might not have succeeded in forcing

Episcopacy upon the people of Scotland. Charles the Second, at least, although detesting the Covenants, was not actuated by any rooted determination, at all hazards, to enforce Prelacy, which proved his Father's ruin, and which drove his successor, by his adherence to Popery, from the British throne.

From this time (1667), during the Earl of Lothian's latter years, there are but few of his letters preserved, and little or no information respecting him to be discovered. Although these years were to him so much overshadowed, we can have no difficulty in supposing that his days were passed in the peaceable discharge of the ordinary duties of life, and in studious retirement among his books, of which, notwithstanding his busy life, he had collected, as we learn from his letters, a large number, designed for use, and not as mere articles of furniture. These, and an extensive series of Historical Portraits, yet remain to testify his learning and taste. He escaped at least the heavier afflictions of actual persecution, not having survived to witness the scenes of bloodshed and suffering which forced so many of his poor countrymen into open, yet unavailing insurrection, and numbers of whom were either condemned to the gallows in the Grafsmarket, or transported like slaves to the American colonies. We may, however, be not less assured that the same faith, and hope, and love, which animated him through life, continued at its close to cheer and sustain him. He died at Newbattle in October 1675, and was laid in the family mausoleum, which is so feelingly alluded to in the above extract.

The following letter from Charles, Earl of Ancram, to Robert, Earl of Lothian, while it confirms the date of his brother's death, furnishes some particulars regarding himself. There is little doubt the son mentioned in it died soon after, he himself having survived till 1690.¹

¹ The date is ascertained by a letter from Lady Vere Wilkinfon. In writing from Hatton Gardens, September 11, 1690, acquainting the Earl of Lothian with the death of her brother, Charles, Earl of Ancram, she says "his misfortunes broke his heart;" and adds, "My request to your Lordship is only that you would shew so much regard to the memory of so near a relation as to contribute to the charges of the funeral and two apothecarys' charges, that furnished him with what the physicians appointed."

PALL MALL, February 5, 1675-6.

DEARE NEPHEW, Since I writt my last I have been a stranger to this place, my Wife having been detain'd in the country with her Son, who was sick like to dye ; and since our return I have kept my bed near three weekes, by a hurt in my side in a coach, but now being on my legs again I cannot omit once more to assure you of the desire I have to serve you, as well as the great satisfactione it is to me that since it has pleas'd God to take to himself your most worthy Father and my dear Brother, he has yet left a Sonne, who not only heirs his estate, but likewise inherits his virtues, which cannot but be to myself, as well as to all our name and family, a matter of great rejoicing and comfort . . . —Your Lordship's most affectionate Uncle and most humble servant,

(Endorsed :) For the Earl of Lothian.



In forming a just estimate of the Earl of Lothian's character, it is fortunate so many important letters, now printed for the first time, should have been preserved. They prove him to have been no rash enthusiast or fanatical partisan, as is frequently alleged against the Covenanters, but one who, having calmly made up his mind as to the right course, pursued it, without deviation, to the end. As one of the Scottish nobles, he thus took an active share in opposing the ill-advised and ruinous policy of Charles the First, when he sought to introduce innovations into the government of Church and State. In doing so, however, it is abundantly proved that to the *person* or *office* of the King he had no hostility, but in that respect was as devoted as the most loyal Cavalier. His frequent employment in the management of important matters of negotiation bears testimony to the high sense entertained of his qualifications by the Estates of Parliament. His conduct never displayed any indecision, but a consistent, sincere, and honourable adherence to the principles of the Covenanted Religion which he professed, refusing to abjure the oaths he had taken, in order

to obtain either royal favour or exemption from fines and imprisonment. The words of the great English poet—

So spake the Seraph Abdiel, faithful found
Among the faithless, *faithful only he*,

may not indeed be applicable exclusively to the EARL OF LOTHIAN, since others of the nobility were equally sufferers, both personally and in the impoverishment of their families, yet, in summing up his character, we may continue the lines of Milton, and say truly of him—

Among innumerable false, unmov'd,
Unshaken, uneduc'd, untir'd,
His loyalty he kept, his love, his zeal ;
Nor number, nor example, with him wrought
To swerve from truth, or change his constant mind,
Though single.

D. L.



MONOGRAM AT NEWBATTLE ABBEY OF WILLIAM AND ANNE KERR,
EARL AND COUNTESS OF LOTHIAN.

GENEALOGICAL TABLES.

No. I.—KERR OF FERNIEHIRST.

THOMAS KERR, eighth in descent from Ralph Kerr of Kerf. = Catherine, daughter of Sir Robert Colville of Ochiltree. haugh, 1330-1350; built a house in Jedburgh Forest, which he called Ferniehirst, and was designated by that title in the Parliamentary Records, 1746. He died in 1499.

SIR ANDREW KERR of Ferniehirst, Warden of the Middle Marches, died 1524. = Janet Home, daughter of Sir Patrick Home of Polwarth.

Ralph Kerr, ancestor of the Carrs of Cavers. William Kerr.

Thomas Kerr, died during his father's life, without issue.

SIR JOHN KERR of Ferniehirst, Warden of the Middle Marches, suc. 1524, knighted in 1548, died 1559.

Catherine Kerr, daughter of Sir Andrew Kerr of Celfford. (See No. II.)

Robert Kerr of Ancram. Janet Kerr. Iobel Kerr = Sir Walter Kerr of Celsford.

SIR THOMAS KERR of Ferniehirst, succeeded 1559, died 1586; Warden of the Marches, and Provost of Edinburgh and Jedburgh.

1st, in 1561, 2dly in 1569, of Sir William Kirkaldy of Grange.

Andrew Kerr of Nether Gogar.

William Kerr.

Margaret = William, fifth Lord Kerr. Hay of Yester.

SIR ANDREW KERR of Ferniehirst, 1586; created LORD JEDBURGH 2d Feb. 1622; died 1631, without surviving issue.

Janet = 1st, Sir Patrick Home of Polwarth; 2d, Thomas, first Earl of Had-dington.

Margaret = Robert, second Lord Melville of Monymail.

SIR JAMES KERR of Crailing, succeeded to the title of LORD JEDBURGH in 1631. He died in 1645.

Mary Ruthford, heiress of Hundallie.

Thomas Kerr of Oxenham was knighted and made Captain of the King's Guard.

Sir Robert Kerr became Treasurer of Scotland in 1611, and created Viscount Rochester in 1611, and Earl of Somerset, 16. He died 1645. He married Lady Frances Howard, Countess of Essex. She died in 1632, he in 1645, leaving an only daughter, Lady Anna, wife of William, Earl of Bedford.

Sir Andrew Kerr, Master of Jedburgh, Captain of the King's Guard, and an extraordinary Lord of Session, married Lady Margaret Kerr, third daughter of Mark, first Earl of Lothian, and relict of James, seventh Lord Hay of Yester. He died without issue during his father's life, 20th December 1628.

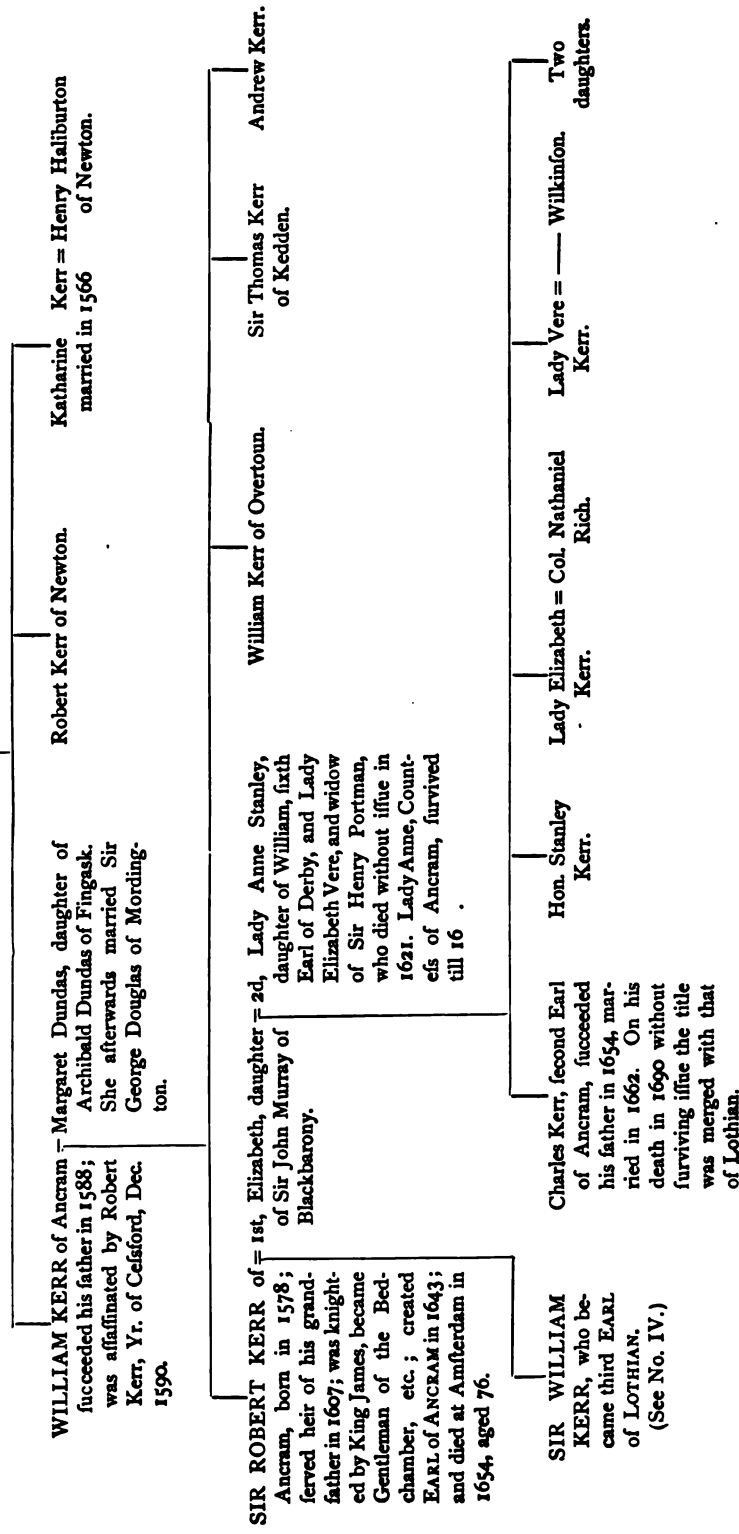
A daughter married to Macdowall of Garthland.

ROBERT, THIRD LORD JEDBURGH, died 4th August 1602, = Christian, daughter of Sir Alexander Hamilton of Innerwick, and without issue; after which the title devolved on William, eldest son of Robert, fourth Earl of Lothian.

Hon. — Kerr = John Kerr of Wetsinbet.

No. II.—KERR OF ANCRAM.

ROBERT KERR, third son of Sir Andrew Kerr of Ferniehirst = Isobel Home, daughter of ——— Home of Wedderburn.
(1499-1524, as above), died in 1588.



NO. III.—KERR OF NEWBATTLE AND LOTHIAN.

MARK KERR, second son of Sir Andrew Kerr of Cessford, Commendator of Newbattle, joined the Reformers in 1560, retaining his title as Commendator. He was appointed one of the extraordinary Lords of Session in 1569, and died at the Abbey 29th August 1584.

Mark Kerr, his eldest son, had the lands of Newbattle converted into a barony in 1587, = Dame Margaret Maxwell, daughter of John Lord Herries. She died He was raised to the Peerage as Earl of Lothian 10th February 1606, and died in April 1609.

Robert Kerr, the eldest son, succeeded as second Earl of Lothian, 1609. He died 15th = Lady Annabella Campbell, second daughter of Archibald, seventh Earl of Argyll. Died 1652, leaving two daughters.

Lady Anne Kerr, the eldest, who succeeded in her own right as Countess of = Sir William Kerr, eldest son of Sir Robert Kerr of Ancrum. Lothian. Her husband had the title of Earl of Lothian conferred by special grant in 1631, on occasion of his marriage. (See No. II.)

SIR WILLIAM KERR, raised to the Peerage as third EARL of LOTHIAN, 24th June = Anne, Countess of Lothian in her own right. Their family consisted of 1631. He survived till 1675. five sons and nine daughters. (See Preface.)

Robert, the eldest son, succeeded as fourth Earl of Lothian in 1675, and Earl of Ancrum = Lady Jane Campbell, second daughter of Archibald, Marquess of Argyll. on the demise of his brother in 1690 (see No. II.) He was created Marquess of Lothian, etc., 23d June 1701. He died 15th February 1703. She died 31st July 1712, leaving a family consisting of five sons and five daughters.

William, second Marquess, K. T., the eldest son, succeeded in 1692, at the demise of = Lady Jane Campbell, his cousin-german, daughter of Archibald, Earl of his kinsman Robert Kerr, third Baron Jedburgh, to that barony (see No. I.), and thus had a seat in Parliament during his father's lifetime. He was a Major-General in the Army. Died 28th February 1722. Argyll. She died 1772, leaving one son and four daughters.

No. III.—KERR OF NEWBATTLE AND LOTHIAN—Continued.

William, third Marquês, K.T., his only son, voted in Parliament as Lord Jedburgh = 1st, Margaret, daughter of Sir Thomas Nicolson, Bart., of Kennay, county of Aberdeen. She died 30th September 1759, leaving two sons and one daughter.

2d, Jean Janet, daughter of Lord Charles Kerr of Cramond, by whom he had no issue. Died 26th December 1787.

William Henry, fourth Marquês, K.T., the eldest son, a General in the Army, was = Lady Caroline D'Arcy, only daughter of Robert, Earl of Holderness, in present at the battles of Fontenoy and Culloden, where he commanded the cavalry. He died 12th April 1775.

William John, fifth Marquês, K.T., was also a General in the Army. Born 17th = Elizabeth Fortescue, only daughter of Chichester Fortescue, Esq., of Drommifken, County Louth, and granddaughter of Richard Wellesley, first Lord Mornington, in 1763. She died in 1780, leaving four sons and five daughters.

William, sixth Marquês, K.T., born 4th October 1763, was known during the greater = 1st, Lady Henrietta Hobart, daughter of John, Earl of Buckinghamshire, in 1793. She died in 1805, leaving three sons and one daughter.
and Lord Lieutenant of Midlothian and Roxburghshire. He was enrolled amongst the Peers of the United Kingdom, 17th July 1821, as Baron Ker of Kerfeugh, County Roxburgh. He died 27th April 1824.

John William Robert, seventh Marquês, Lord Lieutenant of Roxburgh, and Colonel of = Lady Cecil Chetwynd Talbot, only daughter of Charles, Earl Talbot, by the Edinburgh Militia, born 1794, succeeded 1824. Died 14th November 1841.
whom he had five sons and two daughters.

William Schomberg Robert, eighth Marquês, born in 1832, died 4th July 1870, suc- = Lady Constance Talbot, daughter of the Earl of Shrewsbury and Talbot.
ceeded by his brother

SCHOMBERG HENRY, second son, ninth and present MARQUESS OF LOTHIAN, = Lady Victoria Alexandrina Scott, eldest daughter of the Duke of Buccleuch and Queensberry, K.G., 23d February 1865.
Lord Keeper of the Privy Seal of Scotland.

No. IV.—KERR OF CESSFORD.

SIR ANDREW KERR of Cessford, served heir of his grandfather, 30th September 1511. Warden of the Middle Marches. Killed at Melro's, 24th July 1526.

SIR WALTER KERR of Cessford, served heir in 1528. Died 3d May 1581.

Dame Isobel Kerr Mark Kerr, Com-mendator of New-Ferniehirst, died 18th June 1585.

Andrew Kerr Catharine = Sir John Kerr of Ferniehirst.

Margaret Kerr = Sir John Home of Coldingknowe.

Andrew Kerr, appearand of Cessford, died before his father, without issue.

WILLIAM KERR of Cessford, Warden of the Middle Marches. He died in February 1600.

Janet, daughter of Sir William Douglas of Drumlanrig.

ROBERT KERR, of Cessford, succeeded his father in 1600, and was raised to the Peerage as LORD ROXBURGHE in 1606, and as EARL OF ROXBURGHE in 1616. He survived till January 1650. his only son having predeceased him in 1643, without leaving male issue.

THE CLAIM OF LORD KERR OF NEWBATTLE TO THE
EARLDOM OF ROXBURGHE, 1658.

BY a reference to the preceding Tables it will be seen that Sir William Kerr, Earl of Lothian, was descended from the Ferniehirst family, and Anne, Countess of Lothian, from the Kerrs of Cessford. During the Earl of Lothian's absence in France in 1643, the death of the Earl of Roxburghe's (the head of the Cessford branch) eldest son, without heirs-male, seemed to present an opportunity whereby the two families might be permanently united. Accordingly, as has already been noticed, the Countess wrote to her father-in-law, the Earl of Ancram, on the 20th April 1643, proposing that some friend might suggest to the Earl of Roxburghe the propriety of his settling the estate on her family, provided her son married a daughter of the deceased Lord Kerr's, adding as a reason, that her father "gif he wer alyve, wer the narrest air maill and of tallie to it," and "my sonne's narrest in bloode of any of the maill Kers."¹ This union, however, was not destined to take place, and it is possible that the remembrance of the feud between the families of Ferniehirst and Cessford, in which the Earl of Ancram's father had been slain by the Earl of Roxburghe, then younger of Cessford, may have been one reason which prevented it. At all events, the Earl of Roxburghe obtained a new charter in 1646, whereby the title and estates were entailed on Sir William Drummond, fourth son of John, second Earl of Perth, on condition that he married his cousin Jean, eldest daughter of the deceased Lord Kerr.

On the death of the Earl of Roxburghe in 1650, Sir William Drummond assumed the title and succeeded to the estates, although the marriage with his cousin was not completed till five years subsequently. But the Lothian family were not disposed thus to allow the matter to drop, and accordingly, on the 13th September 1658, a claim to the Earldom of

¹ Letter from the Countess of Lothian to the Earl of Ancram, vol. i. p. 145.

Roxburghe was made by Robert, Lord Kerr of Newbattle, the eldest son of the Earl and Countess of Lothian. This Claim, which is printed in full at page 413, recounts the grounds on which it is made, stating among other reasons that his Uncle, John Kerr, brother-german to his good-fire, "who, without all controversie, is heire-male," having no children of his own, had disposed to him "his right and succession to the lands and living of Roxburgh, titles, honours, and dignities thereof, as heir to Robert, Earl of Roxburgh, and to Henrie Lord Kerr, his sonne;" and concludes by demanding an inspection of the Roxburghe charters. It is further added, "This is no wayes propounded to delay the business, for the said Lord Kerr of Newbattle professeth that all that can result upon the inspection of the charter-chest in his favours, with all other debates and animosities, shall be referred to the noble friends, at whose joynt arbitration he shall constantly abide, being very desirous that all debates and grounds of debates betwixt the two families may be removed, there being such a mutuall interest in each other by blood and consanguinity." A letter from the Earl of Roxburghe to the Earl of Calander, Nov. 15, 1658 (p. 417), seems to indicate that the question had been debated before these "mutual friends," and must, of course, have been decided against Lord Kerr of Newbattle, in virtue of the new charter granted in 1646, but no charter could alter his claim to be the Representative of the Cefsford family.

In connexion with this subject, the following interesting letter from Sir Walter Scott to William, sixth Marquess of Lothian, congratulating him on his creation as a British peer, in which he alludes to the ancient differences between the families, may be here printed.

MY DEAR LORD, I sincerely wish you joy of the additional dignity which the King has in so flattering and gracious a manner conferred on a family in which I must always feel most deeply interested. Your Lordship may rely on my keeping counsel till the Gazette speaks for itself.

Upon receiving your Lordship's letter, I immediately looked into a curious altercation which took place betwixt your Lordship's ancestor and the Duke of Roxburghe's in 1661 in parliament. The Earl of Lothian's eldest son was then entitled Lord Ker, and this was challenged by Roxburghe, who said that no one had a right to bear the family name as a title excepting the eldest son of the chief, and he produced a curious list of ennobled chiefs

to show that their eldest sons always bore the family name, and that those of the same clan who rose to nobility took for their secondary title some other. The Earl of Lothian denied, as he truly might, the chieftainship claimed by Roxburghe, and produced his patent in which the second title is Lord Ker of Newbottle. The parliament ordered his eldest son's title in future to be Lord Newbottle. In this they seem to have done short justice to Lord Lothian, for the Earl of Roxburghe produced no evidence to show that he held the character of chief of the Kers under which he claimed the exclusive right to the title. But Lord Lothian's connection with Argyle and with the Covenanters during the earlier part of the civil war was not forgotten during the first year of the Restoration, and I suppose the vote was rather intended to mortify him than for any other purpose. I am very glad your Lordship has turned the flank of the Cefsford family on this new occasion, and assumed, as a British peer, the title, of which as a Scotch one, your family seem to have been summarily and unwarrantably deprived.

In regard to the spelling, I think Ker with one "r" seems to be the most ancient, and all through the discussion in 1661 the title is by both parties so spell'd. Undoubtedly, your Lordship's family name is in point of orthography one of the most flexible in Scotland, and has been spell'd at least six or seven different ways.

Ever your Lordship's, very truly,

WALTER SCOTT.

EDINBURGH, 6th July [1821.]

In this letter Sir Walter evidently alludes to the dispute for the chieftainship of the Kerrs, but it is clear from the preceding statement that the Earl of Roxburghe contested the title of Lord Kerr, which belonged to the Lothian family, on account of their claim to be the representative of the Cefsford branch. It was not till 1692, on the demise of his kinsman, Lord Jedburgh, that the representation of the Kerrs of Ferniehirst, who had always claimed the chieftainship, devolved on Robert Kerr, fourth Earl and first Marquis of Lothian, who thus, in his own person, directly represented both families.

ROBERT LEIGHTON, A.M., AND THE PARISH CHURCH
OF NEWBATTLE.

A FEW words may be here added regarding the parish church of Newbattle and its Ministers, of which the Earl of Lothian was patron, and of which he was a member. The church, previous to the Reformation, belonged to the Abbey, founded 1140. In 1615 John Aird, as minister, was presented by Robert, Earl of Lothian. He signed the Protestation for the liberties of the Kirk in June 1617, and was reckoned "eminent for grace and gifts of faithfulness and success." In his last will he "intreats the Earl of Lothiane, of quhais kyndnes and gudwill I have grite assurance, to countenance and assist my wyff and childrene in their honest effaires."¹ He died 9th July 1638, aged about 54, and was succeeded by Mr. Andrew Cant. The National Covenant was again subscribed by the Presbytery of Dalkeith, and also by the minister of Newbattle, the Earls of Lothian and Dalhousie, and other heritors and parishioners, in August 1639. This celebrated divine was translated to Aberdeen in 1641. To supply the vacancy in the parish, the Earl of Lothian gave a presentation to Robert Leighton, who was admitted in December 1641. The ministry of such a man adds no small interest to a parish in which he laboured for many years with great earnestness and success. It is to be regretted we have no view of the old church, which was pulled down when the present one was built in 1727; but Leighton's pulpit was preserved, and part of the old manse still remains. The present minister of Newbattle, the Rev. Thomas Gordon, D.D., communicated to the Society of Antiquaries of Scotland² a series of extracts from the Presbytery Records of Dalkeith, which furnish a number of minute and interesting particulars regarding the parish during Leighton's incumbency (1641-1653).

Leighton was born in the year 1611, and was educated at Edinburgh, where he took his degree of A.M. in July 1631. His father, Dr. Alex-

¹ Further details, and the succession of the ministers of the parish after the Restoration, are given in Rev. H. Scott's *Faith Ecclesie Scoticanæ*, vol. i. p. 293.

² *Proceedings* of the Society, vol. iv. p. 459.

ander Leighton, who had studied and practised in medicine, in his great zeal against Episcopacy and the innovations brought into the Church by Bishop Laud, had published two works anonymously, which excited great indignation against the author. The first was *The Looking-glasse of the Holy War*, 1624; the other *An Appeal to the Parliament; or, Zion's Plea against the Prelacy* (1628). He was arrested, tried, and imprisoned for the latter work, and, for upwards of ten years, was treated by Laud with the most inhuman barbarity. He sent Robert, his eldest son, abroad, after leaving Edinburgh, to complete his education. He spent some years in France, where he acquired a familiar knowledge of the language, and must have returned previously to April 30, 1639, as at that time some of the Covenanters having resolved to apply for aid to the King of France, William Colville suggested that the proposed letter and secret articles should be submitted for revision, both on account of the language and strain of the letter, "to my Lord Lothian's and Mr. Robert Leighton's better judgments and better experience." When he returned to Scotland he passed the ordinary trials, and was licensed as a preacher by the Presbytery of Edinburgh, and admitted Minister of Newbattle in December 1641. In 1651 he declared himself in favour of the Engagement for the King, which has already been alluded to as opposed by Argyll and the chief Presbyterians, including the Earl of Lothian, through whose influence he escaped from the penalties to which he otherwise might have been subjected.

The strictness of Presbyterian discipline, and the divisions in the Church, seem to have confirmed Leighton, after his father's death, in the wish to retire to private life. When his case was finally brought before the Presbytery of Dalkeith, February 3, 1653, he assigned as the reasons of his "desire to be lowsed from his ministrie at the kirk at Newbotle" both on account of "the gritnes of the congregacione, farre exceeding his strength for discharging the dewties thereof, especially the extreme weaknes of his voice not being able to reache the halfe of them when they are convened, which hes long pressed him very fore, as he had formerly often expressed to us. And to give ane answer to the Commissioner from the Councell of Edinburgh, anent his call from them to be Principall of Edinburgh Colledge, that he may be released from his ministrie ther, to that effect." Having been elected Principal of the University of Edinburgh, January 17, 1653, he accepted, February 8, and was admitted to the vacant office, to the advantage both of himself and the University.

The high estimation in which Leighton was held by the Earl of Lothian, alike creditable to both, is so feelingly expressed in his letter to the Countess, December 9, as to deserve special notice :—

"You have amased me with what you wrote concerning Mr. Leighton. . . . I have not now leafure to write to him, but I will once this night; in the meane tyme, I pray, doe you againe speake to him, and intreate that, whatsoever his refolutions be, that he would not this winter quite us, or att least not do so sodainly and abruptly, and if he will not stay in his ministry, and preach more to us (which wilbe a greate grieffe to me, for never did I gett foe mutch good by any that floode in a pulpit), but is as you write to retyre to a corner untill the spring that he goe to England, desire him that that corner may be your house, which may be as quiet to him as a Monastery or a wilderness. He shall not be desired neither to pray, nor foe much as to say grace to us" (p. 373).

In the letters of Mr. Young, tutor to the two eldest sons of the Earl of Lothian, he says, in one written from "Leyden, Sept. 1², 1653—Last week wee had a visit which was very unexpected from Mr. Leightoun. I belieue he is gone, ere this, from this country, homewards."

The statement in "A paper of Colonel Bamfylde's. The condition and designements of the titular King of Scots, and of those abroad, who are interested in his affayres," anno 1654, August, is much less intelligible.

"My Lord Lothian held a correspondence, sent in August twelve month the Minister of Newbottle (the place where he lives) to the King. He came over in the habit of the soldier; his name is Layton: I sawe him both at Antwerpe and Paris."¹ The probability is the person referred to was his younger brother, Sir Ellis Leighton.² Even if Leighton had remained connected with Newbattle, and with the Lothian family, we cannot easily conceive of him acting as a political agent and assuming the

¹ Thurloe's *State Papers*, vol. ii. p. 513.

² 1647, August 18—"Mr. Nichols was this day brought to the General; and also Colonel Ellis Leighton, who was also taken into custody at Kingston, upon information he was one that took up a Commission in London for the raising of forces to engage the Kingdom in a new war, and remains under restraint.

August 28—"Colonel Leighton, prisoner to the Army is not shot, or adjudged to be shot to death by the Council of War, as some haue reported, but is committed prisoner, by order of the General, at Windfor Castle." (Rushworth's *Collections*, part iv. vol. ii. pp. 779, 792.)

habit of a soldier. But at this time Col. Ellis Leighton was actually employed as Secretary of the English Ambassador at Paris, and he had no occasion to disguise himself as a military man. The Hon. Roger North, in his "Examen, or, an Inquiry into the Credit and Veracity of a Pretended Complete History [by White Kennett, Bishop of Peterborough]," London, 1740, at p. 480, in reference to the ill-success of suits in the French Courts, says—"There was indeed one infelicity in France, Sir Ellis Leighton, the Secretary of the English Ambassador at Paris, was the most corrupt man, then or since living, and betrayed the English and their interests for profit, or at least extorted from them money to afford his assistance in their suits upon undue captures. It was the same person, that, being Secretary in Ireland, extorted most outrageously, and being expostulated with for it, answered, '*What a pox! d'ye think I come here to learn your language?*' But his own recovered him at last, that is the jail, where he died miserably."

This unfavourable character is fully confirmed by Bishop Burnet, who, in his "History of his Own Time," says of Leighton, "He had a brother well known at Court, Sir Elisha, who was very like him in face and in the vivacity of his parts, but the most unlike him in all other things that can be imagined: For, tho' he loved to talk of great sublimities in religion, yet he was a very immoral man. He was a Papist of a form of his own: But he had changed his religion to raise himself at Court; for he was at that time Secretary to the Duke of York, and was very intimate with the Lord Aubigny, a brother of the Duke of Richmond's, who had changed his religion, and was a Priest, and had probably been a Cardinal if he had lived a little longer. . . . Leighton's brother, who thought of nothing but the raising himself at Court, fancied that his being made a Bishop might render himself more considerable. So he possessed the Lord Aubigny with such an opinion of him, that he made the King apprehend, that a man of his piety and his notions (and his not being married was not forgot) might contribute to carry on their design. He fancied such a monastick man, who had a great stretch of thought, and so many other eminent qualities, would be a mean at least to prepare the nation for Popery, if he did not directly come over to them; for his brother did not stick to say he was sure that lay at root with him. So the King named him of his own proper motion, which gave all those that began to suspect the King himself, great jealousies of him. Leightoun was averse to this promotion as much as was possible. His brother had great power over

him ; for he took care to hide his vices from him, and to make before him a shew of piety."

In a letter written in June 1658, Baillie says, "In Edinburgh things are more quiet. There is little more concord in their colledge : Mr. Leightoun does nought to count of, but looks about him, in his chamber : Mr. Dickson, for fear of Mr. Guthrie, was active to get him there. His son, Mr. Alexander, succeeded Mr. Leightoun in his ministrie at Newbottle ; where my Lord Lothian, his earnest caller, and many of the people, became quickly so unkind to him, in his stipend, and other duties, that he was outwearied with them. His father, or rather Mr. Douglass, moved my Lord Broghill to desire the Towne Councill to present him to the vacant place of the Hebrew Tongue ; which accordingly was done, and he settled there in Mr. Leightoun's absence at his yearly progress to London ; on his return, he stikled more than is ordinar to him, to have the young man out ; but his labour was vaine. In a late voyage to London he obtained, after Mr. Gillespie's example, some two hundred pound sterling to the Colledge out of some church lands, which, in my mind, will be als-soone obtained as the flim-flams of Mr. Gillespie's gifts. However, Mr. Sharp obtained at London, that one of these hundred pounds, when gotten, should be Mr. Alexander Dickson's stipend. This angers Mr. Lightoun not a little ; but all is quiet, for the ministrie there of our mind carie all things quietly and wisely, without much noise."¹ The College Treasurer was ordered by the Magistrates and Town-Council to pay to Mr. Leighton 1000 merks Scots, for defraying his expenses to London in July 1658.

Leighton's subsequent history is well known. He was consecrated Bishop of Dunblane at London, December 12, 1661. On the forced resignation of the Archbishop of Glasgow (Alexander Burnet), through the influence of the Duke of Lauderdale, in December 1669, Leighton, without resigning his See of Dunblane, was appointed Commendator of Glasgow, but failing in his attempts to settle "our distemper'd Church affairs," by his proposed accommodation between the two parties, he at length, in September 1674, resigned his preferments in the Church, and all public employment, and having retired to England, died at London on the 25th of June 1684.

¹ *Letters and Journals*, vol. iii. p. 365.

JAMES KERR, KEEPER OF THE RECORDS.

AMONG those of the name of Kerr who flourished during the last century, who might be worthy of notice, there is one who ought not to be passed over in a work like the present. The person referred to, who was styled by Dr. Johnson "Worthy Mr. James Kerr," was connected, for nearly half a century, with the Record Office, Edinburgh. Among the manuscripts in the Library at Newbattle Abbey, there is a volume, lettered on the back, "CHARTÆ GENTIS KERRORUM," and with the following title: "Diplomata Familiæ Kerrorum, principi aliisque illustrioribus ex ea prognatis a Scotiæ Regibus concessa prout in Publicæ Archivæ habentur ab A.D. 1364 ad 1650. Illustrissimo Principi Gulielmo Henrico Lothianæ Marchioni, etc. Summa ea qua par est observantia dicata, a Jacobo Ker enscriptore. Edinburgi, 24th July 1742." Folio. This Manuscript is dedicated by the compiler "To the Most Noble and Puissant Prince, William Henry, Marquis of Lothian, Earl of Ancram, Viscount Brien; Lord Kerr of Newbattle, Oxnam, Jedburgh, Dolphington, and Nisbetts; Knight of the Most Noble and Antient Order of the Thistle, and Lord Clerk-Register of Scotland." His Lordship held the office of Lord Clerk-Register from March 1738 till February 1756. It begins thus:—

"MY LORD, Having for some time past been employed as a writer under your Lordship's Keepers of the Records in the Lower Parliament House, I have thereby had opportunity to look into the Antient Archives which are to be found there; which privilege I value much more than the small profits attending the station I am in," etc.

William Henry, Marquess of Lothian, as Lord Clerk-Register, appointed John Alexander and James Kerr to be "Keepers of the Publick Records, deposited under our care in the Lower Parliament House at Edinburgh," October 20, 1746. Kerr continued to hold this office till February 27, 1777, when a new commission by Lord Frederick Campbell, Lord Clerk-Register, was granted in favour of Alexander and William Robertsons, upon Kerr's resignation, on account of his age and infirmities.

JAMES KER was probably a native of Edinburgh, and had received a learned education. For nearly half a century he was employed as a clerk, and afterwards became deputy keeper of the Public Records. The above volume of *Diplomata* fully exemplifies his fitness for the office, and this is further confirmed by an unpublished report, written by him in the year 1760, of which I have a copy, along with an anonymous "Essay upon Teinds," pp. 46.¹ At the end of the "State of the Records in Scotland," pp. 39, is this note :—"James Ker, under keeper of the Laigh Parliament House Compiled the forgoing State of the Records in the year 1760. He has also made a Compleat Index of all the Charters under the Great Seal that are on record in the Laigh House, which consists of 3 volumes in folio." In the General Register House is the scroll copy of this Report, marked on the back, "Reported by James Ker 18 Novr. 1757, to a meeting of the Lawyers and Writers." He survived till at least 1782.

¹ Since given to the General Register House.

A few corrections and additions which have been noticed since the preceding pages were printed may be here subjoined.

Page xxvii. line 6. Charles, second Earl of Ancram, is said to have died about the year 1680. He survived till the year 1690, as we learn from the letter printed at p. cv. . . . It may also be noticed that by an oversight at line 8, Stanley Kerr, the third son of Robert, Earl of Ancram, is said to have died young. It will be seen, however, from the letter of Lady Elizabeth Rich to her brother, the Earl of Lothian, at p. 478, that he was alive in August 1666. She says—"My brother Stanley was lately at Clinden, but went to London in hope to hear of some new employment for soldiers." He must, however, have predeceased his brother Charles without leaving issue.

Page xxxv. THE EARL OF ANCRAM'S Pension. In the account of the King's Rents received by the Exchequer in Scotland, 1642 to 1649, is the following payment (in Scots money):—

"Item, the Accountant discharges himself of the summe of Fourteen thousand seven hundred thretty-thrie pound 6s. 8d., paid to the Earle of Louthian for the Earle of Ancrum, being in full of his pension at Mertimas 1642, by precepts and receipt 20 July 1642. £014,733:06:08."

Page li. line 15. A letter (p. 374) from the Earl to the Countess of Lothian, dated December 9, 1652, fixes the exact date of their marriage. In this letter, in which he laments the prospect of Leighton resigning his charge at Newbattle, Lord Lothian says—"This was our marriage day, but you have casten me doune with the feare of a divorce or separation of a spirituall marriage." They must therefore have been married on the 9th of December 1630.

Page lxxiv. Arrears claimed from the English Parliament. See Rushworth's *Historical Collections*. Fourth part, vol. i. pp. 322-327.

1646, August 18.—"The Scots Commissioners in a letter to the House of Commons, delivered in an account of the arrears of their army; the substance of which, together with the estimate of the House of Commons of Moneys paid unto them, the exceptions of the Scots to that estimate, the Parliament's exceptions to their Account, and the Scots reply for satisfaction."

According to the particulars (which are fully stated in Rushworth), the Scots demanded about two millions, as due from January 18, 1644, to September 18, 1646, "having brought into this kingdom 1800 foot, 1000 horse, and 1000 dragoons; and acknowledge to have received near £700,000 in moneys, provisions, assessments, quarters, and otherwise."

August 21.—“The Commons took into consideration these demands of the Scots ; and after a hot and tedious debate (which lasted almost the whole day), they passed a vote, That the sum of £200,000 should be advanc'd for the Scots army, according to the desire of the Scots Commissioners.”

September 2d.—“The Scots Commissioners gave in a paper of reasons why their army could not advance into their own kingdom, or leave their quarters in England without £200,000 were presently paid them ; and the House of Commons having debated the same, voted they should have so much at present if it could be raised.”

Page lxxxviii. The Earl of Lothian and the other Commissioners sent to the King at Breda, took shipping at Leith on “Settirday the nynt day of Marche ; and eftir sum schort exhortatioun of ane of the ministerie, and a prayer within the schip, and schooting of sevin pece of ordinance, they hoyfed sail with ane prosperous wind, and arryved at Campheir upone Tyfday thaireftir at twelve houris befor nune. They tuik with thame the Covenant to be subscryvit by his Majestie,” etc. (Nicoll's *Diary*, 1836, Bannatyne Club, p. 4).

Page 46, Note 2. In place of the words “on his return from France,” read “when preparing to embark on a new expedition for relieving the Protestants at Rochelle,”

Page 152, Note 2. In Baillie's letter, dated November 17, 1643, the following passage should have been given in the extract. “Our negotiation at the Court of France, it seems, is miscaryed. Lothian, with nothing done, is returned. He would not be dissuaded from going to Oxford, where we hear he is laid up, to our grief and irritation.”

Page 505*. The top lines should read as follows :—“fermling to transpoirt the traine of artailzierye from Raivinsheuch to Sterling ; and as for the works of Brunt-ylund the Committee hes ordainit the works to be compleitit and finischit, and that men or moneys be provydit thairfoir ;” etc.

CORRESPONDENCE.



CORRESPONDENCE

OF

Sir Robert Kerr, first Earl of Ancram, and his Son
William, third Earl of Lothian.

WILLIAM KER to SIR ROBERT KERR.

1616
May 26.

HONORABLE AND LOVEING COUSING; I receaued not long since
ane letter from yow w^t the maister of Binny, quich was the
first I had since I am heir, bot so full of kyndnes, and gaife me so
much contentment and satisffaction as it may serue weill aneuch for
other three. It haith not only maide me remember quhat I already
aucht yow, bot also increased so farr the number of my obligations to
zow, as I most feik sum vther meanes to acquyt my self, quhilks I
fear shall not be so easly found as I sould be glaide to imbrace them.
I vald regrait much the los of zour brother Thomas his company, ife
I knew not zour caire to be such of him as I am assured it is for his
weill; quich I shall defyr with als much trew affection as any man
braithing; for so his loue and kynd cariage to me heir haith obliged
me. We expect now dayly my Lord Hays¹ our euery wayes extra-

¹ Sir James Hay of Pitcorthie was created a Baron of England in 1615, by the title of Lord Hay of Sauley; advanced in 1618 to be Viscount Doncaster, and afterwards Earl of Carlisle. About this time he was appointed Ambassador to France, but did not leave till July; "having lingered thus long in hope to be made of the Garter." (See *Court and Times of James I.*, vol. i. pp. 401 and 416.)

ordinaire Ambaffadour; ife I be heir at his arriuall, and a witnes to his actions, ze shall know quhat paffes. Ife not, I dout not bot ze will haue a number of freinds heir quha can better informe zow then I. As for the Pourtraict ze defyred in zour laft, I am about to haue it; and hopes to haue it at zow fchortly, als weill done as any hes bein as zet fent. Ife it content zow, I shall be glaide; and defyrs ze wald vse me freely in any thing ze can think me capable to ferue zow; for non shall, God faife me, be more cairfull w^t fewer words to effectuat zour commandements. Ze tell me ther is vther things ze wald haue me bring home w^t me to zow quhen I returne; bot it is f vncertaine as I fould be glaide to know them presently, fo I am liklyer to go farther of then to come foone home; bot, howfomeuer, vse the power ze haue ouer me, I intreat zow; and giue me affurance of zour loue be zour freedome in that kynd, that I may haue that fatisffaction in my mynd, and fum means to witnes my obedience. As for newes, I vill wryt non; zour brother can fufficiently informe zow of the eftait of this countrey; only this much, I am, praisit be God, in good health, and hes ftrenth aneuch to do zow all the feruice it vill pleis zow command him quha rests, zour most trewly affectionat Coufing, to ferue zow,

WILLIAME KER.¹

PARIS, the xxvj of May 1616.

To his honorable and loveing Coufing, Sir Robert Ker,
gentilman of his Heichnes bedchalmber, giue theis.

1617
January 31.

SIR ROBERT KERR to MR. RAWLINS.²

SIR, Thocht I be in doubt that these at fooneft but meet you on your waye homeward, yett lett me, in as good tyme as I can, thank

¹ William Kerr, styled de Lyntoun, had a grant of the lands of Prestoun, in the parish of Oxnam, upon the resignation of William Kerr, brother-german of Sir Robert Kerr, February 28, 1629.

² Dr. Donne, in a letter to Sir Robert Karre (no date), fays, "The principall reafon of my breaking the appointment of waiting upon M. Rawlins was, that I

yow for your letter from Lisbone of the 9 of December, (for if yow wrote more I gote them not). I can not paye yow with a wishe, for wee have not so much on our syde the sea as your first discoverie, so wondred at that it rebounded vpon me, never remembering or perhaps not knowing the proverb—"Wishers and woulders are poore houholders":¹ for if yow have not forgotten what yow wrote, as I doe alwayes, you wished me the wealth then aryved from the Indyas. I know not whither this letter mescaryed myght bringe yow to Inquisition, at least since yow did all yow could to committ a great wrong to that State. Iff my soule be so large as your complement made it, it was a repugnancy to think to fill it with gold : butt lett not this praise me out of my desyre to haue theese bookes I defyred : for as Alexander knew his mortality by lechery, and sleep, and some other good guesse, I know the narrownes of my vnderstanding be not yett knowing what maye be contenid in a booke praseit be the witty pated wrytter of Don Quixote.² Spayne hes so at the verye entry tuned your spirit to complement that not to be guiltye of goeing along with yow in that sin, I auoyd itt till I know at your returne, whither or not yow doe beleive in that black art : for I doe not think it amisse to compare it to a charme, for as that cannot worke butt to them that beleeeve in itt, so I can not complement but with these I doe see receive it ether heartilye naturally or for the best descharge of court-

underflood the King was from Newmarket." It would seem from this, that Rawlins held some office at Court. We find Giles Rawlins, "a servant of the Earl of Somerset," was accused as accessory to the poisoning of Overbury by his master ; and was also taxed with indifference, being cousin-german of Sir Thomas Overbury, for not inquiring into his death. He had, however, sent a petition to the King that it might be examined into by law rather than by the Council. (*Calendar of State Papers, Domestic* ; October 4, 1615.)

¹ This proverb, "Wishers and woulders are poore houholders," occurs in the "Scottish Proverbs, gathered together by David Fergusson, who died 1598." Edinb. 1641, 4to. Kelly quotes it, and says, "This, with several others, signifies the vanity of empty wishes." (*Scottish Proverbs explained in English*. Lond. 1721, p. 358.)

² It would, perhaps, be useless to conjecture the name of the work here alluded to as praised by Cervantes.

ship. If there be many in Spayne as good at it as there Embassador heir, yow maye all cum home so sufficiently practised in itt that your lord Embassador himself maye perhaps complement with his young ladye, and this were a more dangerouse example then any thing came out of France with our Embassador from thence, who, to there prafe be it spoken, came home les French then theye went out. This letter is lyke the tale of goeing to Westminster where there is nothing named without Kyng, Kyng, King, or Kyngstreet, and Kyng Edward and Richart, and all the rest. So I haue often mentioned the honored name of Ambassadore, but it is with all reverence, and to yow that knows not now how to name a Lord without that addition: we ar not forbidden to take there name in vayne, nor do I think vaynelye of any of the three. For the first, I think him one of the best seruands that ever his Maister sent to England; for his discretoun hes begotten good respect from a great many that were not before much affected to this natioun. The last, yow know I haue cause to loue and honour. That noble Lord, in the midst, I leaue to yow to prafe fitlye; it is aneugh that I respect some of his frends beyond the power of my expresseioun, and so he hes my seruice in a chayne. Yow see how vnwillinglye I pairt from yow that dares talk ydle till a whole sheet be spent. Itt shall not be matter for a relict thocht^{re}—relicts be little better stuff: therfor cum home without all; cast this in the sea, and keep onely the juice of it, which is, that

*I am your loving friend
Geo. Karr*

ST. JAMES, the last of our January 1617.

I got yours from William Karr, butt in this month, and did not know how to returne yow anfuere till now.

To my much respected friend Mr. Rawlins, one of these
Englife gentlemen that went to Spayne with his
Majesties Extraordinar Embassidor.

ANNE LADY BALMERINOCHE TO SIR ROBERT KERR.¹1617
July 2.

HONORABEL AND LOWING COUSIN, So soone as conueniency of tyme efter the Parlement could permit, my Sester and I, accompanied with the specialls of our Nobles, as the Duc of Lenox, the two Marquises,² the Chancellor,³ Earle of Argyle, Earle of Glencarne, Earle of Hume, Earle Tullibarne, Lord Binning, Lord Balcleuch, Yester, Rofs, Ochiltry, Garleis, my Husband,⁴ Brunt-Iland, and Walden, with many others of gud forte; who, when wee are all vpon our knees in the priuy gallery of the Abbay,⁵ Buckingham and Roxbruch cam out of the bedchamber and ver spectators: after that my Sifter had presented the petitione (which ves draune vp in als conuenient terms as could be, keeping the substance of yours), my Lord of Binning begoud to giue his Ma^{tie} thanks for his many fauors to my Brother,⁶ with an earnest defyre and request, in all our names, for graunting the fute of our petitione, with fuche encre of fauor as should please his Ma^{tie}, whom the Chancellor secondet to the same effect, to whom the King answered thus: "God knowes, and many heere can beare me vitnes, what a care I euer had of that man, euen in his gretest troubles, to preferue him from extremity of law; for I am not like many other Kings, nor yet lyke my predecessor Hary the 8, quha made vp mignons to vndoe them for his owne ends; bot quhom I once loued, I haue no place to a hatred of them, altho neuer any King ves so euill vsed by his fauorites as I heue beene." In

¹ This letter relates to an interview with King James VI. at Holyrood House (after Parliament was dissolved, June 1617), for the purpose of soliciting his Majesty to restore to favour Robert, Earl of Somerset, who was tried for the murder of Sir Thomas Overbury. His sister, the writer of this letter, was Anne, wife of John, second Lord Balmerinoch, and daughter of Sir Thomas Ker of Ferniehirst by his second wife, Janet Scott (of Buccleuch). By a former marriage Sir Thomas had two daughters, one of whom, along with her husband, Sir Robert Melville of Burntisland, is mentioned in this letter.

² The Marquises of Huntly and Hamilton.

³ Alexander, Earl of Dunfermline.

⁴ John, Lord Balmerinoch.

⁵ The Abbey or Palace of Holyrood.

⁶ Robert, Earl of Somerset.

end, becas he ves presently to parte hence, he desired vee should giue him leser, and leaue that busines to him: vith quhilk generall anser vee ver forst to acquiefs for the tyme, bot are of intention to caus found his mynde better before his parting out of this cuntrey, and refaue a more particular responce vnto our desire at his better leser.

If our proceedings in this busines be not so agreable vnto my Brother's vill, be refon of his preceeding contremands to vs by letres, it must be imputed vnto our affectione and desire of his velfaire, altho I hope zow vill not finde them far differing from zour owne opinione. So, viffing zou all hapines, I rest zour loving seruante to my vtermost.

ED^R, 2 Julii [1617].

To the right hon^{ble} my louing Coufin, Sir Robert Karr
of Ancram, knight, gentilman of his Highnes
bedchamber, these.

1619
April 9.

SIR ROBERT MELVILLE TO SIR ROBERT KERR.

RICHT HONORABILL, I hop zow vill not think my long silence since the refait of zour last kynd lettere from Mr. Alexander Coluill proceidez of any laik of that dewtie I awe yow, bot being vnvilling idillie quhen I vaunt mater to fāsche zow vith voordis, quhom I am bound so far vnto, in effect I vill rather mak choize to be tryit reallie be zow then stryue to giue satisfactiōne in voordis. That freind quho is vith God, knew best quhat mynd I cariet to yow, quhois vyf and children's barnis falbe to me as my awin; they ar not yet so far forwart in ther earand as your intreatie and others that fuited did merit, zit I dispair not thoct they tak to them felfis fume lasur. I dout not bot Mr. Alexander and James Coluille has acquaint yow more particularlie. If your letters had cum vith my coufing, they had

beene, indeed, of ane old dait, for he is not cum heir or zit, bot that litill thing ves procurit for his moother cam vith the Prefident. I vill never dout, quateuer he vald fay of zour pairt, bot that all my freindis, quhom zow know I tender, may expect of zow quhat they nicht of me, if I ver in zour place. I haue presentlie fume litill earand of my auin that is cum to rypne, quhiche, if it be not taine in tym, vill spill, quherin I affuir my felf bothe of your best advys and affistace. I haue a signatour past his Majestie of my auin latill thing is goeing to the Queine, quhiche his Majestie desyrit to be keipit cloofe till the Queinis consent nicht be obtenit, or otherways induring hir tym.¹ Now, others ar making fwit for it, as the Marquise of Huntlie cheiflie I know is ther for that cause I mein, for att Dumfermling, quhiche makis me the moir instant to haue a varrand to exped myn. Therfor I haue directed the bearer to the Earle of Soommerfet, quhois aduys is most necifair in the one since he ves procurer of the other; for thoct it be bot a meane mater zit it is moir to me then thrys als muche in ane other pairt.

Sir, I vill remit the perticular informatione to the bearer, affuring myself that zow vill omit no help may further me; and it ver a voord of the Prince, it may be his Majestie vald not think the vorfe of him to speak for so old fervaunts as my father and my felf, quher he hes so good a varrand as the King's hand alreadie at the signatour. Bot quhether this be fitting or not zow muft knaw best, or quhat other meanis pleasis zow I remit to zour discretione, quhom I knaw to be a treu agent for zour freindis; and for requytall I can promeiz no moir bot a thankfull hairte of zour faithfull freind, readie to doo zow feruice,

S^r ROBERT MELVILLE.²

¹ The Queen Anna, wife of King James VI., died at Hampton Court, March 2, 1619, in the 45th year of her age.

² Sir Robert Melville of Burntisland, on the resignation of his father, Sir Robert Melville of Murdocamy, was admitted one of the Extraordinary Lords of Session in 1601, which he continued to hold till 1626. His father had been raised to the peerage as Lord Melville of Monimail, and on his death in 1621 the above Sir Robert succeeded to that title. He died at Edinburgh, March 9, 1635.

Sir, my vyf thoct to haue vreattin to zow in thiz and fumthing that earand of the lady . . . bot, becauz shoe had not Mr. Alexander Coluill to be her scryb, shoe defyrit me onlie to remember her seruice.

BRUNTILAND, the 9 Apryll 1619.

To the richt honorabill Sir Robert Ker of Ankrum,
knight, gentilman of his Hienes bedchalmer,
these.

LETTER RESPECTING THE DUEL between SIR ROBERT KERR OF
ANCRAM and CHARLES MAXWELL, 1620.

[The writer of the following letter was Sir John Stewart of Traquair, who was served heir of his grandfather in 1608. He was Member of Parliament for the county of Peebles in 1621; and was knighted, and sworn a Privy Councillor. Charles the First appointed him Treasurer-Depute, and created him a peer by the title of Lord Stewart of Traquair, by patent, dated Whitehall, April 19, 1628, to him and his heirs-male bearing the name and arms of Stewart. He was raised to the dignity of Earl of Traquair, June 23, 1633.

The letter refers to the fatal duel between Sir Robert Kerr of Ancram and Charles Maxwell. It has no date, but could not have been written earlier than 1626. In the Register of Confirmed Testaments he is styled "Charles Maxwell callit of Terreglis, brother-german to John Maxwell of Conhaith, and indweller in Edinburgh." (*Edin. Comm.* Nov. 13, 1623.) From contemporary letters relating to this unfortunate event, the following extracts may be given.]

John Chamberlain, Esq., to Sir Dudley Carleton.

LONDON, February 12, 1619-20.

Some ten or twelve days since there fell out an unlucky accident, by reason of a quarrel and challenge 'twixt two Scottish men, Sir

Robert Ker, near about the Prince, and Maxwell, brother to him of the bedchamber, who was left dead in the field, though he held himself the braver man, upon the success of having killed one before in Scotland, and another in France. But the King says, though he pardoned him then, and the French King after, yet it seems God would not pardon him now. Upon the prince's humble and earnest entreaty, assisted by the Duke of Lennox, and Marquis Hamilton, together with the coroner's inquest finding it but manslaughter, the King is pleased to remit the offence; and that Ker be restored to former favour, the rather for that he was extremely urged, and could not by any reasonable means avoid it. The quarrel grew at Thomas Murray's table upon some speech Ker used touching the deportment of Monsieur Lagnes, the French King's favourite; which the other would needs interpret to be meant by somebody [the Duke of Buckingham] here at home, and threatened he would force him to confess it; which *outré créance* it seems proceeded of the success aforesaid.¹

Rev. Thomas Lorkin to —

EMANUEL COLLEGE, *March 8, 1619-20.*

Yesterday, Sir Robert Kerr received his trial here at Cambridge for killing Maxwell, who, according to the indictment framed against him, was found guilty of manslaughter, and pleaded his rank for his life. The burning of the hand was suspended till his Majesty's further pleasure should be known; only caution was taken for his appearance (£2000 bonds which he and his sureties put in between them) whensoever his Majesty should command the execution.²

Chamberlain to Carleton.

LONDON, *March 11, 1620.*

Sir Robert Carr, who killed Maxwell, being uneasy at the delays in his pardon, stood his trial at Cambridge assizes, and was

¹ *The Court and Times of James the First*, vol. ii. p. 199.

² *Ibid.* p. 203.

found guilty of manslaughter; but his sentence was deferred by the Lord Chief Justice till further instructions.¹

The same.

LONDON, *March 20, 1620.*

Sir Robert Carr banished instead of being burnt in the hand.²

Sir Edward Zouch to Lord Zouch.

WHITEHALL, *March 23, 1620.*

The Prince wishes a pafs for Sir Robert Carr who killed Maxwell, and whom he fends beyond fea, becaufe he will not have his Father's edicts slighted.³

October 23, 1620.

Special pardon for felony granted to Sir Robert Carr.⁴

SIR JOHN STEUART OF TRAQUAIR TO SIR ANDREW KERR,
MASTER OF JEDBURGH.

MY HONO^{BLE} AND MUTCH ESTEIMED FREIND, It pleafit yow at our laft metting, to intreat me that I fhould know of my cufing the Erll of Nithifdaill, quho yow faid could geiue beft affeuirans of the paffages betwix your cufing S^r Robert Kerr and Charles Maxwell, affeuirring me yow wald beleiue quhat he faid, for yow knew him to be ane honeft man, quho wald not fuey to nayther the left hand nor the right, bot in a iuft way for bothe. Know, thairfoir, to fatisfie your longing, I haue spokin my cufing the Erll to that purpois at learg and home, quho hes upon his confienfe declairit the quholl fircumftans to me, quich is as heirefter follweth.

Charllis Maxuell being defyrus to infinuat himfelf in the Deuk of Bukkingham his fauor, by fum reall testimonie of his fidelitie to him, made this his way. Alledging that one day, being at Maifter Morrayis tabill, then Secritarrie to the Prince, abut the Criffinmes

¹ *Calendar of State Papers, Domestic, 1619-1623, p. 129.*

² *Ibid. p. 134.*

³ *Ibid. p. 132.*

⁴ *Ibid. p. 185.*

tyme, he hard Sir Robert Kerr tak ane argument at the tabill concerning fauoritis, beginning his discours thus: Sayis he, "Tho wee will not meddill w^t fauoritis at hom, we may speik of futch as ar abrod," inferring his discours from France, w^t admiration, that futch a man in quhom thair was so small merit and so beaslie borne, schould carie so great a fuey thair, and so furth, more quhair of I am forgetfull. This discours, sayis the Erll, lay beuried in oblivion for the speace of tua or thrie month or thair aboutis, efter the quich Charlis Maxuell on[e] day, being rydding to the hous quhair the Counttes of Nithisdail and my ladie Purbek lay, ten myllis from Newmarket, King Jamis at that tyme being at Newmarket, telis the Erll of Nithisdail of this discours as thay red along, affeuring the Erll he wald impairt the particular to the Deuk: "Quhat (replyis the Erll), Chairilis, I had rayther geiue you a thusand crounis befor (fayis he) ayther you schould doo it, or had don it," alleging it wer bothe a baiffe and bad pairt to cheufe a taill spokin at table, and at least tuo munthis or thrie [after] the discours was spokin. Bot the [Earl] tould to me, he had ane other reasone moufing him to persuad Charlis to [silence], for, fais he, "I was at that tyme desirous to mak peis tuix the Deuk and Sir Robert Ker, quho at that tyme was . . . by the Deuk." This lay ouer eght dayis and more, till on[e] day the Deuk resoluit to go to that hous quhair the Counttes, his cusing, and his sifter-in-law lay, to sie thaim, the Erll being in coatch w^t the Deuk and his brother Purbek, as thay wer passing allong, Purbek did lean heauelie upon the Erll of Nithisdail, quich brufit him so as he tould Purbek how mutch he diseasit him, to quhom he presentlie replyis, with a greit oth, faying that if Sir Robert Ker had bein in his pleace, he wald not haue weeried so mutch. So far thay enterit that the Deuk fell upon the Erll of Nithisdale, and tould him, "My Lord, this is the man you so mutch labur me for to esteim a freind; let me hensfurth heir no mor of that discours, or resolue to leaue me, for yow cannot keip us both." "Quhy (anwerit the Erll) dois your Greafe esteim so hardly of a man

that is honest and esteimed so of all y^e know him? For my pairt (said he), as I schall answere to God, if I knew any thing to the contrer, my mouthe schould never opin in his particular." "It is all one (answert the Deuk), if you esteim him more nor me, cheuse, much goud doo you w^t him, I haue don." The Deuk that day, efter dinner, callit for hors and left the coatch, and rode a heat to Newmarket, w^t quhom Charles keipit company. Hauing stayed from thair fore rydding, the Deuk fell in discours w^t Chairlis, quho, feinding his oportunitie, tould the Deuk the storie the Erll of Nithisdail so mutch defyrit to suppres. The Erll, quho at that tyme stayit behynd w^t his ladie, cam sum thrie dayis efter to Neumarket, quhair, efter super, bein w^t the Erll at his lodging, he tould quhat had past tuix him and the Deuk as they cam from Abbingtun, quhen he stayed behynd. "Weill (said the Erll), Chairlis, I am sorrie for quhat you haue done, for (said he), yow haue schowin your eydilnes, nayther will it euer ly in your pouer to mak that goud." Quho answearit w^t a grit oathe, "I schall make him confesse it, nor dar he deny it, and if you be futch a freind to the Deuk, ax him of it, and let him know this; I haue giuin the Deuk notis of it, and tell, he schall not go back of it els it schall cost him deir." Quhair-upon, said the Erll, bein vexit w^t the importunitie of the man, four or [five came] to gether, and still schifting, hoiping to mittigat the bissines, till . . . [the unfor]tunat man tould me he wald go ax him him self; quich still wrgit he schould not, and still in the mein quhyll eusing my best argumentis to dissuad, bot could not preuaill, till in end I did ax Sir Robert Ker if thair was futch a thing as was reportit or not? quho answert me most discretly, sayd the Erll, and as I rem[em]ber in thir termis—"As I am ane honest man, my Lord, so far as my memorie seruis me, I niuer spok futch a thing, for quho (said he), can rem[em]ber a tabill discours so long past?" To quhom the Erll replyis, "Sir Robert, I affeuir yow this bissines is devulgit, and so far, as it is cum to the Deuk his eiris. If it be, Sir," thus said the Erll, "yow haue not done weill, nor delt weill w^t me,

quho was your freind, and quho treuly laboured to mak peace tuix yow and the Deuk, for it makis him jelus of me." "My Lord," anfuerit the innoſent genttillman, "belewe quhat I haue ſaid to be trew; and leaſt you ſchould ſuppoſe the contrer, you ſchall inform yourſelf by a man quho I am aſſeurit will not diffemmill w^t you nor no man." "Quho is that?" ſaid the Erll. "Your freind (replyed Sir Robert) Charles Maxwell, quho I doo remember was that day att tabill w^t us." "Then (ſaid the Erll to me), I was worſe nor euer I was, for that was the man ſtroue to cut his throt, my freind, quhom I neidis muſt term ſo." Sir Robert and I at that tyme pairttit, and w^t als forrwe a hairt (ſaid the Erll) as euir man caried; for I knew miſchif wald cum of it, quich was neir. In the euining of that ſam day quhair in this diſcours paſt tuix S^r Robert and me, Charlis cam to me and axit quither I had ſpokin w^t S^r Robert or not; I anfuerit not, tho' I had, only to ſchun miſchif; bot w^t all tould him I wald, and ſtill euſit the beſt meanis I could to diſuad him from tredding any further in the biſſines, bot niuer could prevail. Four dais (ſaid the Erll to me) paſt, ſtill Charles was wpon him, axing quither he had ſpokin w^t Sir Robert or not. The Erll anfueris ſtill not, till in end the gentill man [Charles] was ſo moued that he forgot himſelf, and tould the Erll it ſeimed he durſt not ax the queſtion at Sir Robert, w^t the quich the Erll was mutch moued, bot w^t all this mutch more, w^t a grit othe, Charlis ſwore he wald trubbill him no mor, he fuld axe him himſelf, and mak him confes it. The Erll replyed, "Charlis, it ſemis yow ar mad, or els a fooll, and to let yow the better ſie your follie, he hes aſſeurit me of the contrer, and w^t all, 'if yow will not truſt me, ax your kinsman Charilis Makxwell, quho was thair, and I hoip will ſatisſie yow.' Now, Charlis (ſaid he), iudge quither yow wrong innoſenſie or not, for littill dremis he of your perſecution." Hes he ſaid ſo? (anfuerit Charlis) go, my lord, w^t me, and I ſchall mak him confes it, els it ſchall be deir to on of us." "And is that the beſt of your reſoleutionis, Chairlis?" ſaid my lord. "It is." "Then, Chairlis, I will go w^t you to S^r Robertis chamber, and let him ſay

for him self;" quich we did. Haueing parafrasit a littill wpon the biffines, still the flame increfit in both pairttis, bot I must neidis confes S^r Robert had far the odis in discretion; and as I schall anfuer to God (said the Erll) on the grit day, preast by all the meanis beneth the heauin to schun it w^t a faif reputation, quich efter fell out, for Sir Robert at that tyme keipit his chamber, feik of a violent flux, quich had keipit him six or seauin^{*} wekis. In end the biffines fell to that hight amongis thaim, that thay both teuk me sworn, said the Erll, that I schould not reueall quhat past amongis thaim, quich I did and treuly performit, as the effectis proueit. In end, sayis Chairlis, "then I fie, Sir Robert, thair is nothing on your pairt bot a stif denyall." "I anfwer befor God and your honorabill chif (said Sir Robert), I iustly deny it, and am innoſent of that aspersion yow stryue to lay wpon me." "Weill, then (said Chairlis), thair is no mor to be done amongis ws for this tyme, faue this, yow schall the morrow meitt me at futch a plect, and befor we pairt, I will mak yow tell another taill." The Erll past ane othe to me at the relation of this tragedie, that, as he schould anfuer to God, he knew not what plect they had appointed. Bot he niuer fould forget Sir Robertis valoris and wittie reply. "Weill (said he), Chairlis, ſince it can be no better bot yow will put me ſo hardly to it, I will ſpeik no mor to yow as freind; and till this, ſo eſteimed by me, God is my iudg, and your cheif is a witnes, quhat-euir ſchall fall out, it is ſorlie foght upon me, quhairfoir I will commit the wark to God, and w^t all pas the word of a gentill man, y^t the morrow yow ſchall feind me at the plect yow haue appointtit, w^t als mutch reſolution to defend a juſt cauſ from ane wniuft diſaſtur, as yow for your pairt dar avoutch to haue;" and ſo turning to the Erll, as the Erll, among y^e reſt, relaitis, "I craue yow pardon for this needles diſurbanis, and dois in all humilitie tak leaue of your Lordſchip, only deſyring this reſonabill requiſt of your Lo/, quhom, as I know to be hono^{ble} you will proue, as till this yow ar repuittit to be juſt, and that howſoeuer the biffines ſchall fall out, geiue eyther of us our dew, as the cais requyris." Quich, as I am a

Cristian, in this discours tuix my cufing, the Erll of Nithifdail and me, he so treuly swore he treuly did, for the quich till this day I niuer had my cufing, Jamis Maxwellis loue, as befoir; for quhen they went out in the morning (said the Erll to me), he was a bed; and eftir thay wer gone, Sir James Achterhoufe came to the Erll, and tould him thay wer gone to feght, defyring y^e Erll to go furth w^t him to stay the combat; to quhom he replied, "Pardon me, I will not, cum quhat will; I schall be thoght pairttie; bot yow schall do weill to go to the Deuk of Ritchmond, and defyr him to fend out fum of his to stay the [combat]." Bot to tell you treuly, cufing, said the Erll, the Deuk of Buckingham did hould me to be to mutch upon S^r Robertis pertie, quich I tak God to be my iudge, was not further nor becam a man, both in honor and honestie; bot, to conclud, Chairlis had his reuard; for, as I schall anfuer to God, he foght it; for befoir S^r Jamis was on[e] half quartter of ane [h]our gone, Charlis his hors cam in lous alone to Newmarket, from the ditch, quhair his master lay dead.

This tragedie being accomplisht, then had I my pairt; for it pleasit King Jamis, quhois memorie I honor, fueir all the othis of God I schould dey for it, that knew and confealed, to quich I by oth was bund, yit, w^t in thrie dayis efter, I was callit in befoir his Ma^{tie}, and King Chairlis, at that tyme Prince, was w^t the Deuk of Bukkingham, and Jamis Maxwell wer present, quhair it pleasit King Jamis ax me the quholl passagis and sircumstanffis of the biffines, quitch I did relait, Cufing (said the Erll to me), as I schall anfuer to God, so far as my memorie will ferue me, as at this tyme I doo to you. Wpon the quich I had my Soueranis abfoleution at that tyme for my compelled trespas. And so restis treuly and fathfully youris,

S. J. STEUART.

I schall niuer forget quhat it pleasit King Chairlis at that tyme say to me, quich was this: "Nithifdail, I thank yow for quhat yow haue done. Yow haue schowin yourself ane honest man, and if I leiuie, I schall remember it to your contentment." This is the

quholl storie treuly, according to my memorie relaitt [according]
to your defyr, to fatisfie your longing, as I schall anfuer to the All-
mightie from the Erll of Nithisdailis mouth.

To my honoble and mutch esteimed freind, Sir
Andro Kerr, Maister of Jedburgh, thais.

1621
March 29.

SIR ROBERT KERR to his SON WILLIAM, afterwards
EARL OF LOTHIAN.

WILLIAM, I would not let your freind Mr. Curwen cum to you w^t
out this remembrance, that he may see I vallew you as you are to
me. He must goe awaye, I see, to leaue the skwole to be a marwied
man. Let not that mowe you, for, till your tyme of learning be out,
you must be content to follow your book, and take such company as
you fynd, whither it be hear or elswher; nor must you set your hart
vpon any man, for men are but sojourners in this world; best freinds
newer stay certainly together till they meat in heaven; therfor in
this world ewery one must betake himfelfe to luwe wher his present
affayres lye. Your present busines is your booke, and the place
Cambrige. Take all things els as by the way, but to that betake
yourself seriously and diligently; yet becausse Mr. Curwen is the first
gentleman that ever you luvd so domestiqwally as your first chamber
fellow, and it hapning also that his estat lies so near that part wher
you're liklyest to be, and being also a good youth, and on[e] whom you
may lowe securely, I would have you giw him this enclosed ring as a
freindly token at your fundring, that it may be a means to make him
remember you the longer and the better; and by this also you
shall know that I hawe not only a care of your well in reall things,
but ewen in matters of complement and pleasure, so far as they are
just and fitting to teach you to be the more respectiwe in your dewty.

ST. JAMES, 29 Marche 1621.

Endorfed.—Coppie of a letter written to my eldest sonne
at the College, Cambrige.

JOHN, LORD HAY OF YESTER,¹ to SIR ROBERT KERR.

1621.
April 3.

MUCH HONORED AND DEERE COUSIN, I should much paine myself before I feind ane sufficiente excuse for my leafynes in keiping so long silence, wherfore I acknowledge my faulte, hopinge the thyther to atteane pardone at your hands. I feare not yow judge my remembrance of yow by the frequency of my letters, but if I should at one tyme of ane hundreth (that yow are wholly the subiect my mynd runes wpon) geue leaue to the penne to wryte, it should aither proue wearysome to yow to reade, ore troublesome to on that hes so few idle houres, as I know yow can haue, to answer, becaus yow will not be behinde with me for ane lettre: in any uther thing I will not be faid to stryue with yow, for, so long as I haue yet leaued, I can not say in any thing I haue bene usefull to S^r Robert Karr; but this I leaue till yow think it tyme, and am contented to enterteane yow on that string yow harpe still wpon, w^{ch} is that I should marry. I confesse yo^r last lettre has set me more on edge then I think I should haue bene this two yeere of my owne disposition; but, now that I consider I must ones be, I lay afyd these considerations w^{ch} were of befor as avers to my resolution. Yow know I haue had perpetually question w^t my mother, my Lo. Chan^r kepis up the warde of my mariage, my owne. I know not what fancie to trauell agane, and such lyk, hes made me so long ane wower; but now I am begun to think that my delay to marry does more prejudge me then any thing els, and I am the thyther encourage to hasten to it, that I understand yow are about

¹ John, eighth Lord Hay of Yester, was a son of James, seventh Baron, and Margaret, daughter of Mark, first Earl of Lothian. He was also descended from the Kerrs of Fernihirst—his grandfather William, fifth Lord Hay of Yester, having married Margaret, daughter of Sir John Kerr of Fernihirst. He was created Earl of Tweeddale, December 1, 1646.

the same purpose.¹ I wer ungratefull if I wished not yow ane good one, that hes had such a care of myne. I remember in yo^r last lettre yow wryte freely yo^r opinion of these I had wryten unto yow of before, and I perceave yow have more to say, if it pleased yow, of that partie, of whom, when I ask be tounge, yow will tell me yo^r thoughts. I wolde entreate yow to be free with me, in case I should happen sett at that partie; heir shee is turne ane directe puritaine, and so generally well spoken off for her cariage in euery thing, that they are greate inducements to make me try farder of hir disposition; not that I am so fixed or engaged (for I protest there is no motion as yet on either syde), but there is left place for yo^r opinion. If so be that we simpathise in mynde, I doe not sie but I may hitt upon ane worse matche. I look yow will geue me yo^r opinion freely, nor be not the loather to diuerte me of this course, for feare I be not so soone thereafter engaged on ane uther; as for my Lo. Chan^d his daughter, I sweare I haue nothing to mislyk of hir, for shee is ane very comely wenche, and may be a wyfe to the beste in the kingdome.² I am als neir to him already as when I have matched with his daughter, nor meane I to marry without his approbation, so by that meanes I shall not rune hazarde losse his freinds hype. I haue bene with non leauing, so free in this purpose as with yow. I should be glade it wer true they report, that yow are of mynd to cum doune against the Parlement with the Marquyse of Hamiltoune; but, howfoeuer, I looke to heare from yow with the nixt occasion. I was defyred be on Thomas Megget (who mett with yow in the Low countreys), to entreate of yow ane lettre in his fauors to Graue Maurice; he is cuming by sea to England, and I promised to remember him to yow with the first occasion. Thus wisheing it may

¹ Alluding to Sir Robert's projected second marriage. See p. 27.

² John, Lord Hay of Yester, was twice married—first, to Jane Seton, daughter of Alexander, Earl of Dunfermline, Lord Chancellor; and afterwards to Margaret Montgomery, daughter of Alexander, sixth Earl of Eglinton.

stand with the conveniency of yo^r effaires to cum doune to Scotland
at this witfoday, that I may haue the happines to sie yow, and to be
fund by yow yo^r louing cofen to serue yow, YESTER.

BOTHANES, 3 Apryle 1621.

To my much honored and louing Coufin
Sir Robert Karr of Ancrum, knight,
Gentleman of his Highnes bedchalmer, thefe.

JOHN, LORD BALMERINOC¹, to SIR ROBERT KERR.

1621
April 24.

RICHT HONORABLE, As I acknowledge the increafe of my obliga-
tione to yow by your continuing carefull endevors in effecting the
desired end of my busines, so doe I remitt there conclufione vnto
your self in your freedome for choice of the fittest meanes, and shall
at this terme, as of before, finde out some honest shift whereby I may
wrestle with the difficulties of these tymes, in hope of infallible
victory over them before the next. As to my repairing towardis
yow, I never affected it otherwise then that the pretext of these busi-
nes might cover my longing desire to visite these I loue best there,
as my conditionall desire did beare ; which seing yow haue so
wiselie disproved, shall hencefoorth be buried. Thus, expecting your
finall freedome from all thes sasherries, I wishe yow all happines, and
shall ever remayne your faithfull freind to dispose off,

J. BALMERINOC¹.

BARNTUN, 24th April 1621.

To my honourable and worthie freind,
Sir Robert Carre of Ancrum, knyght,
Gentlman of his Highnes bedchamber.

¹ John, second Lord Balmerinoc¹ ; see note, page 5.

1621
May 4.

MARGARET, LADY OCHILTREE,¹ to SIR ROBERT KERR.

MY MOST LOVING SONE, As be the information of my coufin Androw Makdowegelle I haue recaued aduertishment of my dear young master and Prince, and of his highnes flourishing estate in all good vertewes, and most comelie cariage in everiething belonging to his highnes; wherby I am so greatlie comforted that I must first found the praifes to my gracious God, that hes indewed his highnes with such wertewes and so plentifulle enlarged his mercies and love to his highnes, in such fort that his fame spreeds in all nations, both to the honour of God's great name and his commendation aboue all others. So it is my cheef contentment and comfort in this earth, that my gracious God maks me to obtain my dayelie petitions for his highnes, and that in my owen tyme, and old age, I heir the accomplishment therof. The Lord fulfill all my defyres that his highnes may receaue the benefite, and I the comfort, of my daylie petitions, which I haue, and be the Lord's grace fall, so long as his divyne Majestie continues my sinfull dayes in this lyfe.

My loving Sone, how fal I render such thanks to yow for your wnderferued kyndnes from tyme to tyme, chieflie now imploying your credit and wonted lowe to the furtherance of my sute and petition to his highnes, which I heir by my forsaide Cousin of your inteir affection in the furtherance thereof, that I know not in what mesure I can acquyte or performe my dewtie and obligation to yow; yit, since that I cannot, I hope be my Lord's grace not to be unmyndfull to remember yow to my gracious God to accomplish to yow that which I can not, who I assure myself will not leive yow unrecompensed. Now, my loving Sone, as I must intreat yow to remember that if his highnes send

¹ Margaret Stewart, Lady Ochiltree elder, had no such claim on Sir Robert Kerr of Ancram, as might be inferred from the terms in which she addresses him, in regard to securing the continuance of her pension. It will be shown in the Preface, that his mother was Margaret Dundas, a daughter of Alexander Dundas of Fingask.

not his warrand to his highnes Counsell heir for delyuerie of so much as plefeth him to giue me with expedition, and that mention be maid in the warrand to mak payement to me of the fix hundreth and twentie zeires croppe, which would be speciallie mentioned in the warrand, or els I will be bot delayed till the nixt yeir, which will tend to my great prejudice, to the which I assure myself ye will haue ane speciall regarde. And lykwyse that ye will remember his highnes to speik Sir Gedeon Murray, and to defyre him to let me haue sufficient payement of my pension, that I haue in allowance of the Kinges Majestie, which is bot ane thowsand merks yearlie, and that my complaint be not hard, for I would have hoped, and assuredlie expected, altho^t I had not serued the Queins Majestie, from the first moneth of hir arrayuall to Scotland, to the last day of hir passing herefram,¹ I sould haue bene respected by others, bot cheiflie since I had that mercie and honour of my God to haue the charge of my dear Lord and Prince his highnes, and seruice night and day done to his highnes, sould be more respected nor others. Now, my dearly beloued Sone, I hartely intreat yow to haue me excused for fashing yow with these my longsome lynes, wishing in hart I might render such meating as your undeserued kyndnes requyres, yit, since I cannot, be the Lord his grace, as I haue and fall daylie, so now to his diuine Majestie, and to his grace I committ yow and all your affairs, who mot gyde yow be his counsell heir, and giue yow eternall glorie herefter.

Yours most affectionat Mother, euer assured to the vttermost of all power,
MARGARET, LADIE VCHILTRIE elder.

DALKEITH, the 4 of May 1621.

¹ King James arrived at Leith with his young bride, the Princess Anna of Denmark, May 1st, 1590. On succeeding to the crown of England, by the death of Queen Elizabeth, he took his journey to his new inheritance, April 5, his Queen following in June 1603; and they were crowned July 25, 1605.

My lowing Sone, I cannot bot render you hartie thanks for your kyndnes and fauor to James Ween, who, I trust, wilbe readie to serue yow to the vttermoſt.

To my very hartelie and moſt dearlie beloved Sone,
Sir Robert Ker, knight, of Ancrum,
and one of his Highnes privie chalmer.

1621
May 24.

ALEXANDER, EARL OF DUNFERMLINE,¹ to SIR ROBERT KER.

MAIST HONORABILL GOOD FREIND, Ziour lettir in takin and affurance of zour kindlie remembrance, quhilk I refaued fra Mr. James Scot, gaue me greate contentement, nocht for onye doubt I could haue before of zour conſtant fauour, bot the notis off zour hand war to me *pignora amoris*, fa meikill the mair that zie teſtifie fa cleirlye the guid will zie carie, all fould goe and ſucced with me to my contentment. I thank ziow maiſt hartlie, and affuiris ziow thair can hardlie cuim onye direction or ordonance frome thence can diſpleaſe or diſcontent me; *parendi gloria* is all I will clame to fra this furth that be God his grace I will keep in that courſe quhateuir fall. I think na falt can be impute to me, quhair I may find me free of falt, I will nocht be ſubject to greate diſcontentement, and be this ſtarne, I intend to hald out the reſte off my voyage or nauigatioun. I hope ſhortlie to diſcouer my port. Think nocht for this, Sir Robert, that I think me onye neirar

¹ Alexander Seton, third ſon of George, Lord Seton, was born in the year 1555-56. Being a younger ſon, he was intended for the Church; and was admitted a ſcholar in the Jeſuits' College at Rome. Mary Queen of Scots, who was his godmother, conferred on him the Priory of Pluſcardine. On his return to Scotland he purſued his legal ſtudies, and paſſed Advocate, and profeſſing the Proteſtant faith, he was appointed an Extraordinary Lord of Seſſion, and took his ſeat on the bench by the title of Prior of Pluſcardine, in 1586: he ſucceeded as an Ordinary two years later. In 1593 he was advanced to be Lord Prefident; in 1605 he became Lord Chancellor of Scotland; and in the following year was created Earl of Dunfermline. He died at his houſe of Pinkie, June 16, 1622, in the 67th year of his age.

to death, farder nor that I knaw thair is fa monye ziers off my mortalitie past. *Ego jam post terga reliqui sexaginta annos*, and fyue maa; bot I think tyme now to be mair circumspēct, nocht fa readie to tak meikill in hand for monye respects. I find me now far remoued from the springs or sprentis, that mouis all the refortis off our gouernment, and thairfore layis for fuirest ground to moue. I hald or latt goe as our first motors settis us to, otherwayis in [bulk] or banis I find zit leitill decay in me. I haue bein twayis or thrife this spring ellis at Archerie and the same bowis that serued me 40 ziers fence, fittis me als weill now as eiuer, and ar als far at my command. Suim ziow left me also seruic me als weill now as then. It is bot greate viris decayis fast and sonne; mediocritie contented me eiuir, and sua fall still be God his grace. This ziow fall haue insteade off greater newis occurrence or aduertismentis zie haue in store thar; wee ar skant off heir, to enterteine our freindis with in our lettris. I hoipe in ziour courtesie and kindnes at onye good oportunitie zie will remembir my maist humbill and deuote seruice in all affection to our maist fueete gracious zioung Maister: God prosper him in all his actions, aduance his honour, and grant him all contentment. Sua wissis to ziow also ziour maist affectionat freind and seruitour,

DUNFERMELJNE.

Frome PINKIE,¹ 24 May 1621.

Ziour aunt my bedfallow² has hir also maist hartlie remembrit to ziow. I gett skerslie any in a moneth a sicht off my lord Ziefter; always he is weill, still feichting with the world.

To my maist honourabill good freind,
Sir Robert Ker off Ancrum,
in the Prence his Heighnes bedchalmer.

¹ Pinkie Houfe, near Muffelburgh.

² The Earl of Dunfermline married, as his third wife, Margaret Hay, daughter of James, seventh Lord Hay of Yester, and Lady Margaret Kerr, third daughter of Mark, first Earl of Lothian. Lady Margaret married, secondly, Andrew, Master of Jedburgh.

1621
June 7.

WILLIAM DRUMMOND OF HAWTHORNDEN TO SIR ROBERT KERR.

SIR, Forgiue my long filence, which was not caused by forgetfulness of what I am owne, but by respect. For in these busye tymes I thought in your behalfe, from mee a tedious importunitie a greater wrong than respectiue filence. Though I haue no sute at Court to trouble you with, yet so long as Daniell lastes (who, dying as I heare, bequeathed to you his scrolls) or Done, who in his trauells left you his, I will euer find a way of trafficking with yow by letters. Not long since there came to my hands a Pastorelle tragedie of Samuell Daniell's, which for her sake at whose mariage it was acted, and to whom it is giuen, I intended to send to the presse.¹ But it

¹ SAMUEL DANIELL, the eminent English poet and historian, was born near Taunton in 1562, and educated at Oxford. After the accession of James to the English throne, Daniell obtained an appointment at Court, and was afterwards made one of the grooms of the Privy Chamber of the Queen's Court. He died in October 1619. The answer to Drummond's request in the above letter was, no doubt, that the Pastoral had already been published. It was licensed January 1613-14; and the first edition, which is of great rarity, has the following title, as given in Hazlitt's Handbook, in the list of Daniell's works :—

"HYMENS TRIUMPH. A Pastorall Tragicomædie. Presented at the Queenes Court in the Strand, at her Maiestie's magnificent entertainment of the King's most excellent Maiestie, being at the Nuptials of the Lord Roxborough. By Samvel Daniell. London, Imprinted for Francis Constable, and are to bee sold at his shop in Paul's Church-yard at the signe of the white Lyon. 1615," 8vo. 40 leaves.

It is included in "the whole Workes of Samuel Daniel," Lond. 1623, 4to, and in later editions. From Drummond's words it is evident the MS. was given to him by the lady on whose nuptials it was composed,—Jane, daughter of Patrick, third Lord Drummond. The identical MS. is preserved in the library of the University of Edinburgh, among the books presented in 1626 by the poet of Hawthornden. It is a quarto, very carefully written, and some of the blanks supplied in the hand of the Author himself. One of these, the lines "*From the temple*," etc., has this addition :—

"So merely we pass along with our joyfull Bridall Song."

But the most important variation is, that in place of the dedication to Queen

both wanting the title and hauing no Chorus, I thought I would first intreate you if there were a more perfect coppie among the Author's papers. Such legacyes, though for the most part they either are condemned or not much made of, yet are found more lasting than what the world esteemes dearer, and to some other this might be a piece of an epitaph, though not to you that builds your fame on higher seated praise. This theame is too vast for so litle paper, and can not want some excellent wit of the posteritye to measure it. Would I might liue to see you as in worth so transcend others in fortune, and yet then should I neuer be more than I am yours, to command,

EDENBROUGHE, 7 of June 1621.

W. Drummond.

To the right honorable Sir Robert Karre, knight,
gentleman of the Prince's bedchamber.

Anna, he substituted the following address, which, as it is not found in his Poetical Works, may here be inserted, with a facsimile of the author's signature.

TO THE RIGHT NOBLE LADIE, THE LADIE OF ROXBOROUGH.

'That this small peece was (noble Ladie) borne
To be among those rites w^h did adorne
Yo^r worthy Nuptials, I reioyce, as one
Who ever longu'd to have his wishes showne
In any thing that might yo^r honor found,
For that great goodnes I have ever found.
And, Madame, this much I would have you know
That I must evermore confesse to owe
All gratitude vnto yo^r Noblenes,
Who always have bene readie to expresse
Yo^r love to virtue, and to doe me grace
W^t all sincere proceeding, in yo^r place.
W^h that the World from mee may vnderstand
Here, Madame, I subscribe it w^t my hand.'

Samuel Dargel

1621
June 28.

MR. THOMAS HAMILTON OF ROBERTOUN TO SIR ROBERT KERR.

RIGHT WORSCHIPFULL, As I hawe ay hethirtyll in ilk neid had recours till your helpe, fa nowe more eiraneftly intreatis your helpe to affist my defyre with my lord Marques of Hamiltoune anent Sir Gideon Murray¹ his place in Seffion nowe vaicking be his deceas, where intill I fall ftrywe to deill fa ernestly and aydingly till his Lordship's service as can be effectuat be yowr most humble fervant, till power,

MR. THOMAS HAMILTON
of Robertoun.²

EDINBURGHE, 28 of Junii 1621.

To the right worshipfull Sir Robert Car of Ancrum,
at his Hienes Court.

1621
July 13.

JOHN, VISCOUNT LAUDERDALE,³ TO SIR ROBERT KERR.

SIR, The bypast experience I hawe had of zour favors giwes me boldnes to acquent zow with all my defyres, and affuurance of zour furtherance to ther advancement in fo farr as they are reafonable. The busyenes wherwith I am to trouble zow for the present is this: A place now vackinge in the Prince his Hyenes Counfell be

¹ Sir Gideon Murray of Elibank died June 28th, 1621. The above application was not successful, as Sir Alexander Gibson of Durie was appointed his successor as a Lord of Session, July 10th following.

² The writer of this letter became connected with the Lothian family by marriage. Lady Jean Kerr, eldest daughter of Mark, Earl of Lothian, was thrice married—first, to Robert Master of Boyd, who died in 1597; secondly, to David, eleventh Earl of Crawford, who died in 1621; and, thirdly, to the above Thomas Hamilton. In the Register of Confirmed Testaments she is styled "Dame Jeane Ker, Countess of Crawford, and last spouse to Mr. Thomas Hamiltoun of Robertoun, in Edinburgh, who died August 17, 1632."

³ John, Lord Maitland of Thirlestane, was created Viscount Lauderdale, April 2, 1616; admitted a Lord of Session in 1618; and raised in the peerage to the Earl of Lauderdale, in March 1624.

the death of Sir Gideon Murraye,¹ I have resolved to interceid with my freinds ther, that be thair meanis I may be preferred to itt; amongs whom esteiming zow to be one of the cheif, I will nocht be spairinge to putt zow to sum paines for me. I am nocht ignorant of my awin insufficiencie; zitt tyme I houp, and sum longer experience (especialllye in so wyse a societie), maye supplie sum pairt of that defect: neither does anye ambitious humor pous me fordward, but a defyre I have in that also to succeid to my forebears, who, to the fourth generatione, hes had the honour to be employed in particular services be his Hyenes most noble anceftors. And albeit wifdome and verteu does nocht cum be inheritance (wherof I am forye I should have so foore experience), zitt I will ever acclaime sum greater interest in his Hyenes service nor manye uthers can doe. I have lykewayes written to Mr. Secretarye Murraye for this sam effect; and scars doe I expect that this shall cum to zour handis befor ze take jurneye hither; houfoever I perswad my self of the continuance of zour kyndnes in this particular, and that ze will accept in good pairt my importunitie as proceedinge from zour most affectionat and respective freind and servitour,

LAUDERDAILL.

EDINBURGH, 13 Julii 1621.

4

To the right worthye my muche respected freinde,
Sir Robert Ker knyghte, one of the Prince
his Hyenes bedchamber, etc.

CHARLES, PRINCE OF WALES, to the COUNTESS OF DERBY.²1621
November 6.

MADAME, This gentleman comes downe by my leave, a futor to your daughter.³ What hee wants in meanes he hath in neernefs

¹ On the 28th of June 1621. See note to the preceding letter.

² This interesting letter is in the holograph of Charles I. when Prince of Wales. The Countess of Derby, to whom it is addressed, was Elizabeth, eldest daughter of Edward Vere, seventeenth Earl of Oxford.

³ The Lady Anne Stanley was widow of Sir Henry Portman of Orchard Portman

about my perfon, in fuch a place that hee will not be thought to difcend by matching with him; I defire that you will fauer his fute, which I will take to bee a great fauer to me; fo, hoping that you will put this obligation vpon me, I reft

Your Louing friend

*St James the 6th
November 1621*

Charles

For the Countes of Derby.¹

1622
February 27.

JOHN (SPOTTISWOOD), ARCHBISHOP OF ST. ANDREWS, to
SIR ROBERT KERR.

SIRE, Howfoevir Mr. Dowglas his own good partis be a fufficient requytal of al the kyndnes¹ I can fchew him, yet I am content to know that ze think and esteem of it as ze doe: for if I knew the occafioun quherby I mycht exprefse my kyndnes to zour felf I wold

in the County of Somerfet, who died in February 1621. Chamberlain, in writing to Carleton, October 27, that year, fates, "Sir Robert Carr, who ferves the Prince, *has married widow Portman*, the Earl of Derby's daughter." Unless there had been a private marriage, it perhaps fhould have been *has arranged to marry*. Prince Charles at leaft never would have written the above letter, November 9, 1621, had there previously been a regular marriage.

¹ *This letter is endorfed*—"From King Charles the firft, when hee was Prince of Wales, to the Countes of Derby, my grandmother." *And alfo, by a different hand*—"The futor was the Earle of Ancram, who was father to my grandfather the Earle of Lothian, and to the laft E. of Ancram, who dyed after the Revolution; and to the Lady Vere Wilkinfon, and the Lady Elizabeth Rich. He had thefe three laft by the lady to whom the Prince thus recommended him."

take it most willingly, and vse it the best fort, that ze mycht vnderstand how muche I account of yow and your good affectione. I doe not expect many zeiris to my self quhich zit the greate hopes I haif of your noble maister our Prince makes me fomtymes to wische that I mycht haife my part in the hope quhiche I know many sal haife by his triumphs and victories over the enemyis of God. But I leave two sonnes to seek thair happines in his Hienes service,¹ and doubtis not but they sal find zour favour and wil doe thair beste to merit it: for so I haif commandit and commendit them to doe, and if amongst the dead ther be any care of the levinge, these sam affectionis wil follow me quhiche now I professe and by deathe itself sal not be extinguished. In the mean tyme; how longe I remain heir, I sal be cairful to approve them by my best labouris and services to the Church of God, quhiche I assuridly trust sal find confort and reliefe after al her threatnings of trouble by the means that God has appointed; to quhose continual protectione I from my heart commend yow, restynge your most affectionate to command,

SANCTANDREWS.

SANCTANDREWS, the 27th February 1622.

To my very honorabill good freind Sir Robert Ker of
Ancrum, of his Hienes bedchamber at Court.

JOHN (ABERNETHIE), BISHOP OF CAITHNESS,² to Sir ROBERT KERR.

1623
October 16.

LOVING BROTHER, I congratulat most heartilie your maister his

¹ His eldest son was Sir John Spottiswood of Dairie and Kincaple, and his second son was Sir Robert Spottiswood, promoted to be Lord President of the Court of Session in October 1633. Sir Robert was taken prisoner, whilst with Montrose at the battle of Philiphaugh, and being tried "for having joined with him in all his acts of hostility to the state," was condemned to death on the 16th January 1646.

² John Abernethie, A.M., was educated at Edinburgh, and in 1593 was admitted minister of Jedburgh. He was opposed for many years to Episcopacy, but in 1616 he was created D.D., and promoted to the vacant see of Caithness; being permitted still to retain his parochial charge in Roxburghshire.

Hienes happie returne and youres with him.¹ Here all men's hearts are enlarged with joy and praising of God and wish the event may be so in all things as they affected. Ze must send me your direction what shall be done with the closed letter ze sent to me at your parting frome home. I must entreat yow to befriend me in ane eirand wherof verie laitlie the occasion is fallen furth. The bishoprik of Murray this fomer did vaik.² It was offered to me by my Lord of St. Androse, and he had his owne designe to haue put a friend of his in my place; but because I saw it was a sea of pleas and left in a bad estate I durst not mak such a hazardous tosse: and since I refused it he hath purchased a letter of his Majestie to vrge me to mak residence in Cathnes,³ and is to strait me theirwith. I desire yow to deale earnestlie with him to desist frome that purpose, and to get his sure promise their anent. For it is impossible I can mak residence. The rent of that benefice is so small and far worse payed because of the people's barbaritie, that it wold not sustaine me and my familie there scantlie half a year together, beside that I haue no resident place there: neither darre I hazard, vnder the feet and tyrannie of the Earle of Cathnes and his sone. I resort there in fomme seafone, and doe as much good to all my churches as can be requisit if I did abide there. Ze must entreat him to spair me till God provide a fitter place for me, or till I find a fitt occasioun to remoue. I pray yow be peremptur with him in this, and mak him sure. I spak him at his parting frome Scotland that he wold fute his Majestie to mak me frie of my taxations,

¹ Sir Robert Kerr accompanied the Prince of Wales in his expedition to Spain in 1623, to arrange the long-talked-of match with the Spanish Princess. (See *Court and Times of James I.*, Lond. 1849, vol. ii. p. 369.)

² The See of Murray became vacant by the death of Alexander Douglas in May 1623. His actual successor was John Guthrie, one of the Ministers of Edinburgh. He was deposed by the Glasgow Assembly in 1638.

³ In place of Jedburgh, where he continued to reside, as minister of that parish; only occasionally visiting his northern diocese. He resigned his parochial charge in 1636, and was deposed from his Episcopal functions, with the rest of his brethren, by the Glasgow Assembly, in November 1638.

which hithertillis I haue payed out of my owne purse without any hope of reliefe, likas before ze went away he did writ to the King a petition for me which I did concredit to zow. But as yet I haue gotten nothing done. He willed me to writ to yow theiranent to speak with him theirin, and he wold doe what lay in him. When ze haue obtained the former, then desire him to further me in this also, for the time, now a litle after Martimes, is that I muft mak new payment, which is verie hard to me. I pray zow excuife me fo foone to fash yow after zour returne, but need compellet me, and I mak bold to charge zow as my most enteir friend, knowing ze can well tak all in good part frome me, who fo affectes yow as your loving Brother,

J. B. OF CATHNESS.

October 16, 1623.

To the right honorabill Sir Robert Kar, gentleman
of his Hieneffe bedchamber.

MR. WILLIAM BENNETT to SIR ROBERT KERR.

1623
November 27.

RIGHT HONORABILL, Although I haue not had fo much as the occasion to be knowen to your worship, farre lesse the credite to be of your acquaintance, yet, hauing this desired occasion of writing, I haue taken the boldnesse to send these lines as a messinger of my duetie to offer my seruice due vnto yow and to geue testimonie of that respect I owe yow. And since it hath pleased the all-disposing God to call me vnto this place wherein your interesse is greate as your worship hes beene vnto George Johnstoune my predicesfour (vnto whom by his owne dimission and with his kindnesse I am succeeded),¹ both a

¹ George Johnstone was translated from Foulden in Berwickshire, to be minister of Ancram in November 1572. He was accused by Spottiswood and other Bishops of non-conformity, and deprived by the Court of High Commission, June 29, 1622. He was alive in 1631. His successor, William Bennett, A.M., was presented to the vacant charge, July 25, 1622. He died in 1647. (Scott's *Fasti Ecclesiae Scoticae*, vol. i. p. 483.)

patroune of his labours and protector of his person, so likewise I wold humblie desire those same wings of noble disposition to be spread ouer me and my travells. And albeit for the present I cannot as I wold performe towards yow these offices of respect which it were meet I should, because of your absence from this place, not the lesse I am, and (God willing) euer shall be, readie to serue yow in all that I shall be able to performe. So, crauing pardon for my boldnesse, I commit yow to the guiding and protection of the Almightye. Your Worship's to serue yow,

MR. WM. BENNETT.

ANCRUM, Nouember 27, 1623.

To the right honorabill Sir Robert Ker of Ancrum
knight, gentleman of his Hienes bedchamber.

1624
January 21.

LADY MARY STEWART, COUNTESS OF MAR,¹ to SIR ROBERT KERR.

MY NOBLE FRENDE, Altho ther hes bein manie changes this time passed, yett this one thing I haue fond stabell, your loue and kindnes to me and mine, which of anie eartly thing I wold most glaidly acknowledge, if I could see how or wherin I might giue full testimonye of a greatfull mind, which is all I can offer to yow. This bearer will say that to yow which ware both longsum and griuous to me to putt in wreat, therefore I leaue itt to him to informe, and yow to doe all the good ye maye in this befines betuix my Lord Marquis Hammiltoun, and my Lord, which from my hairt I woffe war fattled. I doe then recomend it to your cair, as I shall euer remaine your most affectionatt humble seruent,

MARIE STEWART.

HOLIRUDHOUS, 21 Januer 1624.

To the right Honorabell Sir Robert Ker.

¹ Lady Mary Stewart, Countess of Mar, was the second daughter of Esme, Duke of Lennox; and second wife to John, Earl of Mar, Lord High Treasurer of Scotland (1605-1630), who died December 16, 1635. Lady Mar survived till May 11, 1644.

SIR ROBERT KERR to [THE MASTER OF JEDBURGH?].

1624
Aug. 6.

SIR, I fie there is no goeing out of this country for me, but by forcing it, for doing my dewty that makes me loofe it in another place whether I muft hafte; and therefore, moft confident that your pardouning it will give the exemple to others, I take my leave this way, remitting the reft fo that yow can beft vse the oportunity of wrytting. I shall fpeak to your Father by the way, as yow directed me, and shall wryte it to yow; and in what termis my brother William and I pairt, yow shall heir upon [our] finder. So, wifhing all happines to yow and your company, and natural love betwein my ladye your wyffe and her fonne and daughter, howbeitt I be not fo happy as to fie it, I take my leave with much kyndnes and refpect as your loving feruand,

S. RO. KARR.

SINLAWS, 6 Auguft 1624.

The EARL OF MELROSE¹ to SIR ROBERT KERR.1625
April 1.

RYGHT HONORABLE, Knowing by your letter the moft forowfull newes that I ever heard, with an addition, giuing affured hope of comfort, in refpect of the manifold and manifest vertues of our King's fonne and worthie fucceffour of the beft and happieft King (now enjoying eternall reft and bleffe) that euer liued on earth,² I fent one of my fonnes with all poffible hafte to defire my Lords Chancelar and

¹ Sir Thomas Hamilton of Priestfield was born in 1563, studied the law in France, was admitted advocate in 1587, and appointed a Lord of Session in 1592, by the title of Lord Drumcairn. He was elevated to the peerage, November 30, 1613, as Lord Binning and Byres; appointed Lord Prefident in 1616; and created Earl of Melrofe March 20, 1619, which title he exchanged in 1627 for that of Earl of Haddington. He died in 1637. Among the Lothian Papers there are many of his letters, but chiefly on matters of bufinefs.

² King James VI. died at his Manor of Theobalds, on Sunday, March 27, 1625.

Thesaurar to come with speede to the Counsellhous in Ed^r, and bring with them all the lords of Counsell who were then with them at Craigmiller's buriall at the church of Inveresk, and in the meantime had with me the Clerk of Counsell, penning the proclamation of his Maiesties most lawfull autoritie royall, adding to the forme sent be the Earles of Morton and Roxburgh that which I thought convenient for our dutie and our people's comfort, as ye will know by the copie sent from the Counsell, with a commission to be exp^d by his Majestie for establisshing his Secret Counsell in this kingdome. It is blank in the names, but we haue sent a roll of the late counsellours, that his Ma^{tie} may make such choice as to his wisdome seemes expedient. With it will goe a warrant for renewing all the Seales, and if it can be had in time, a commission for expediting infestments. We directed a command to postmasters not to suffer any to haue horses till the Counsell's packet shuld first go. Thir ar the things requyring greatest expedition, others shall follow after due resolution. I imparted your letter, with the notes in it vnder the Earle of Morton and Roxburgh's hands, to my lords Chancelar¹ and Treasurar,² and caused my Lord of Mar reade what ye wrote concerning him. In them I find so true feeling of our countrie's happines by the being of these noblemen at Court in time of this great reuolution, and so honorable resolutiue to concur with them and yow in all that can concerne his Maiestie's seruice or our countries good, as greater can not be wished. And if any mite in my small power shall be wanting, I pray God I liue no longer, and therefore affectuoslie beseech yow to let them see this letter as an excuse of my not writing particularlie to each of them, to whom and to yourself I shall remaine faithfull and readie to do yow all seruice.

MELROS.

Ed^r, 1st of Aprile 1625.

¹ Sir George Hay, afterwards first Earl of Kinnoull.

² Sir Archibald Napier, Treasurer-depute (1623-1630).

I must entreat yow to impart this letter to Sir John, my brother,¹ who will shew yow what I haue writin to him. Your packet came heir vpon the last of March. The Counsell hes writin to his Majestie, and a commission for the Counsell to be new appointed, and ane roll of the names of those who wer privie counsellors to our most gracious deceased King. These are to come to the hands of the Earles of Morton, Roxburgh, Kellie, and Clerk of Register, or such of them as fall be at Court, to be presented to his Majestie, and the ansuer therof solicited. The copie of the letter to his Maiestie will come to their hands, and so to your knowledge, before any farder proceed. My brother will tell yow of your friend's particulars.

To the right honorable Sir Robert Car of Ancram
knight, Gentleman of his Majestie's bedchamber
at Court.

Endorsed by Lord Ancram—"Vpon the hearing of K. James his deathe."

JOHN, EARL OF ROTHES,² to SIR ROBERT KERR.

1625
April 14.

RICHT HONORIT AND WORTHY SIR, I receaued Mr. Quhyts book, which I had in borrowing sum dayes befor yours com; as also the other bookes to Mr. William Scott,³ and my self which ar wryten by Mr. Brent.⁴ It pleased God that the most part of the goods of the

¹ Sir John Hamilton, of Magdalen's, was appointed Clerk-Register, and also an Ordinary Lord of Session, July 27, 1622. After some other official changes, he died November 28, 1632.

² John Lesley, fifth Earl of Rothes, succeeded to the title on the death of his grandfather in 1621. He became one of the most able and zealous opponents to the unfortunate policy of Charles the First, both in Church and State.

³ William Scott, A.M., minister of Cupar, occupied a prominent position in the ecclesiastical history of his time. He was the author of "An Apologetical Narration of the State and Government of the Kirk of Scotland since the Reformation;" and of "The Course of Conformitie," commonly ascribed to Calderwood. (See *Note to Scott's Apologetical Narration, Wodrow Society*, p. vi.)

⁴ The books here alluded to were probably "The Workes of John White, D.D.,

schip war casten away, and the greift part of the Erl of Marchells trunks; bot that which contened your books was faued, altho broken up, and euey thing uithin itt euell weat uith sea watter: which tempest hath taken auay the two part of the schiping of Fyff, almost the haill salt panes, and hath ruined many houses throuch Fyff and Lothian, which war neir the cost. This marrowless tempest was much about the tym of the death of our lat[e] worthy and matchless King,¹ to quhos uertewes and good graces I uisch our Maister may succeid; expecting the best euer, till sum actions declar his Maiefty's referued disposition. Altho I renew that last purpofs I had with you att our last parting att Cowper, I hop neither to incur the censur of curiosity nor importunity, sine I defyred a fatisfaction in that which, according to best appearrenc, may import the good or misery of our Stat, which uas sum notic from you of the disposition of our Master touards such courses as uas intended in this countray, which you nicht perseu did bread greit greif and discontentment amongst the best both in plac and knowledg; such as was that streining of the ordinar customes of Counfall, decreits by particular letters which proceded from the dilation of certain captors upon the Counfell, allso the imposing of certain nouations upon the Kirk, which bread such caus of discontentment be reson of the occation giuen to exercifs such seuerity upon both church men and others; and the impairing of the libertys of the Nobility both in Counsell and Parliament; to the which I remember ye did schow an impossibility to

together with a Defence of the Way to the True Church." Lond. 1624; and the "History of the Council of Trent," translated from the Italian of Father Paul (Sarpi) by Sir Nicholas Brent, and first published, Lond. 1620, folio.

¹ The tempest here mentioned occurred on the 30th March 1625, and its devastations are related by Calderwood, who says, "The like of this tempest was not seene in our time, nor the like of it heard in this countrie in anie age preceeding." The King died on the 27th of that month. His funerals were celebrated on the 7th of May; and the same historian says, "The funerall night was so tempestuous with thunder and raine at London and about, that the like passed the remembrance of man." (*History*, *Wodrow Soc. edit.* vol. vii. pp. 632, 634.)

deliberat, in respect of his Maiefty's obedient disposition to all things which did pleas his lat[e] father to establishe, either publickly or inioin him priuatly, bot did hop quhen itt suld pleas God to bring his Maieftie to his father's plac ther suld be a mitigation of thos extremitys. Now I, as being lead with thir fallowing respects, dois crau an fauorabl exceptanc of this present, importuning you that is in so many greit affaires, first, the respect of the good and peac of this countray, nixt of his Maiefty, towards quhom all our eyes are intended to perfeau the first fruits of his actiones, and that he suld gain our affectiones; and thirdly, my regard towards your self as being in my estimation far beyond any that is in the personall seruic of our Master. Now the tym being precious befor the stamp of any bad impressiõ which thos quho uar exalted and benificed be the former corruptiones uill preas to imprint, I thocht expedient to mak knawen to you with quhom I presum much freedom, that if you uill imploy your self in quhat mesur of power you hau to mow a pacification of thos extremitys which hath fallowed upon the Nouationes imposed on the Kirk vnder shadow of indifferency, bot used far otheruays, untill the tym off his Majesty's father tryall off the euell off them. And in restoring, or att least giuing sum good aparences of the restauration of the Nobilitys uonted libertys in Counsell and Parliament, the taking richt tym how far to requyr quhat oposition is lykly; and all other circumstances ar to be mesured be your uifdome and experienc in such cases. This much I can promifs fall fallow, the greitist affection a peopl can cary to ther Princ, which nothing can so much procur as this I hau wryten; nixt, the good of the Stat of this nation in making that unity of myndis which is jangled with changes both in kirk and ciuil Stat, yea with a greiter number off goods then this paper can contein; which will be largely instructed iff euer we be mad happy by this wisched chang to the better; and lastly, quher now the world's censur of you is to be an understanding seruant to your Master, you fall hau aded a freind to the Stat and Gods instrument, your reuard fall be the lou of all good men, the promifes off this lyff

and lyff eternall, if so be it ye do itt uith that entier intention which I think your heart promifes. Defyring sum aduertisment off your hopes be the first paket; and what you wryt fall hau no farder cours then you defyr itt. I do expect that Morton,¹ iff ye find any good ground to work on, fall affist, for I think him on[e] off the most feilling and understanding members of this Stat; yea befor any off the ancient nobility in an upricht judgment, which I pray God to augment, and to giu you good resolution and successe in all your enterpryses. Expecting pardon for prolixity, and hops my impertinency fall hau a fauorabl censur proceeding from the good intention of your continowing and most entierly affectionat freind to seru you,

ROTHES.

Mr. William Scot and I dois thank you for our bookes; and iff he uas not interrupted uith heauy sicknes uold hau rendered his aun thankes, which he uill do uith his opinion off the book quhen itt is dried and bound.

LESLIE, the 14 of Apryll 1625.

To my uery honorit and ueill respected freind Sir
Robert Ker on[e] of his Majestys bedchamber.

Circa
1625.

JAMES, MARQUIS OF HAMILTON,² to SIR ROBERT KERR.

ASSURIT FRIND, I think my sealse most hape that I heaue anie-thing that his Magestie wyll doue me so much honour as to tak of

¹ William, Earl of Morton, continued in favour with the King, and was not only on the Privy Council, but was made Lord High Treasurer in 1630. When removed from that office in 1637, in favour of the Earl of Traquair, he was appointed Captain of His Majesty's Guard, and a Knight of the Garter.

² James, third Marquis of Hamilton was born in 1606, and succeeded his father 2d March 1625. At this time he was a student at Oxford, but went to Scotland about the end of the year. He returned to Court in 1628, at the earnest solicitation of Charles I., with whom he had been a favourite companion, and was immediately

me. I wis that it may proue with him as it heath doune with me, for fins the death of my father I heaue neuer alteritt it. So; beinge still confident of your frinship, as I would heaue youe take of your louing frind and farvant,

JAMES HAMILTON.

I pray you knoe of the King if that ther be anithing eals that he hes a mynd to that I heaue.

To Sir Robert Kar, my affurit friend.

"SIR JOHN STEWART, afterwards EARL OF TRAQUAIR, to
SIR ROBERT KERR.

1625
May 16.

RICHT HONORABLE, In zour last to me, ze directid me to hawe sent up my uncle, Sir Robert Stewarts gift of the super-plus of my forest steadings, quhilk, be reason of thir suddaine and unexpectid changis, I have continowid untill such tyme as it fall pleas zow acquaint me with zour mynd therin againe.

Sir, I hope ze vill be pleasid laikways to remember how at my last being at court I was persuadit be fume of my best freinds to be a fuitter to our lait Kings Majestie for the honor and title of a Baron, the effectuating quher of being undertakin be the last Duik of Lenox¹ was be his suddaine death so interruptid that since I hawe nevir foe much as bein defyrous to hawe it mentionid, quhill that now the confidence I have of zowr power about his Majestie for effectuating materis of far greater consequence, together with the assurance I hawe (grundit upon many experiencis) of zowr gud mynd towards me, renewis in me the self same defyr, and in fume measure maks me

sworn of the Privy Council, appointed Gentleman of the Bedchamber, and soon after Master of the Horse. In 1638 he was appointed Lord High Commissioner, and was created Duke of Hamilton 12th April 1643.

¹ Efme Stuart, Duke of Lennox, died, after a few days' illness, at Kirby, in Northamptonshire, in August 1624, when accompanying King James VI. in one of his "Progresses."

hope for the performance therof be zowr meanes. The reasons did first move me to think hear upon are not unknowin to zowr self, quhilks I leave to repeat, nather zit will I presse be anie uther argument or intercessione of freinds to perswade zow hearto, onlie as I have fund zowr kyndnes hearto for more effectuall nor evir any vorthe in me can be able to deserve, foe in this quhilk may contene foe much, I still hope and perswade my self of the continuance of the samyn. But as in my former litle busines, so in this, I continow all till new advertischment from zow; onlie this much I must earnestlie intreat, that vith the first convenient occasione ze vill be pleasid to lat me knaw zowr vill hearin; for as ze fall advise me I fall rest content ather to desist from any farther meddling in it, or uthervays, if it be a thing ze think may be done, to prosecute it as ze fall direct me; for the quhilk and all zowr uther undeservid kyndnesis I nather will nor can promisse anie thing, but the assurance of a trew and thankfull freind to his uttermost power.

S. J. TRAQUAIRE.

Zong men's invencions are for the most part foe misconstrued, that, fearing the same may befall me, in cais in lik maner this designe fould be knawin, I must humblie intreat zow to keip all foe privie as zow fall think fitting.

TRAQUAIR, May 16, 1625.

To the richt honorable Sir Robert Ker, gentleman in
his Majestie's bedchamber.

1625
May 30.

SIR ROBERT KERR TO SIR THOMAS HOPE OF CRAIGHALL.¹

SIR, To yow that I profefs and owe so muche kyndnes to, yow may judge how glayde I would be to wryte to yow that your desyr

¹ Sir Thomas Hope of Craighall, an eminent lawyer, was appointed in 1626 joint Lord Advocate with Sir William Oliphant, and on his decease enjoyed the office alone.

to the Kyng is past, and be the contrayre that it is not past, foe sorry I am. But I have good witnessses befyde my conscience that I have donne all I could, and so did a better man, the Marquis of Hamilton; but the King hath refud vs both, yett not for any opinion he hath of you but good (as I hope yet yow will fynd), butt because he hath been taught to be very cautious about that change of haldinge wayrd to convert it to blenche. Yet I keep your gift and the old Kyng's letter faifly by me, to sett vpon it agayne, or to give it vpp to any yow will, or to send it to yow when yow please. I know my ill successe for you will not slack your care of me, for in all these matters that concerne eyther my selff alone, or that concerns my ladye Lothian's daughters and me, I defyre and expect the continowance of your good will; and furder, as I shall be, so long as I live, as my lord Melrose can beare me witness, your affureit frend and seruand,

S^r RO^t KARR.

WHYTEHALL, 30 May 1625.

I pray yow do all yow can, fairly to bringe your client, my Lord Ramsey, and my Lord Lothian's children to a good agreement. *Summum jus, summa injuria*; there is skaith aneugh alreddie.

I have sent home my signator for my patronage. I pray yow haste it throw, and imploye the laird of Lee to the bishop.

To my worthy frend Mr. Thomas Hope of Craighall.

SIR PATRICK HUME of POLWARTH to SIR ROBERT KERR.

1626
March 22.

RICHT HONORABILL, This wthir lettire heirwithin I wrote quhen Mundurk went vp. I sent it to Nanie Millers in Barwike, as he assigned me, but he came no there, and so I wes difapoynted. Now, finding the commodite of so worthie a bearer, I could not omitt to

He was created a Baronet of Nova Scotia, 19th February 1628, and in 1643 was appointed Commissioner to the General Assembly; "an honour never before or since bestowed upon a commoner."

truble him heirwith. Many admires this grite and unexpected alteration in our session, quho ar cheif moyeneis therof; zow can no be ignorant, *felix qui potuit rerum cognoscere causas*. Zet als gude spectator as actor in fuche a scheme. Admitt thame gude aneuch that ar entred into ther roumes that wer before, it will be long ere they give so gude prouf as ther cedents have done. I doubt not but his Majestie hes beene informed of some abuses before, and thocht this fittest expedient for reformatione therof; tyme, treuths mother, will try; *etiam magistratus virum ostendet*. Quho wes thocht a wyfer nobleman, at least a griter politician then the auld Earle of Montrose?¹ but quhen he wes made Cancellor, his scant of clergie bewrayed him. I think some satyrik lawier fall bid our sessions gas[e] at ther *dilemmata*: a poete sayd weill this, *Si fortuna volet fies de Rhetore consul: Si volet hæc eadem fies de consule Rhetor. Compendium vnius, dispendium alterius*. Quhen his Majestie begins at the College of Justice to correct any presumption of enormities, quhat fal be the end of lawes and rebellious people? And now, "tyme is that judgement shuld begin at the hous of God" (1 Peter 4, 17), quhen any Levite may be a preist, etc. Corruption in Counsell is muche prejudicial to a commoune weall; but corruption in the Kirk muche more impediment both to Christ his kingdom, and his vicegerent King Charles. God give his Majestie that same mynd that wes in King David, Salomon, Ezechias, Josias, etc.; zea, and Cyrus (God's Scheipherd), and Artaxerces Longimanus, quho, for reedificatione of the Temple, commandit all things in the hous of God to be done according to the commandement of God, that they mycht pray for the King and his children, and lett all the faythfull say, So be it. Quhen zow wryt to me, zow speare to speake of ferious

¹ John, Earl of Montrose, was appointed Lord Chancellor, 18th January 1598, and one of the Commissioners for the treaty of Union, 11th July 1604. It was thought desirable, however, as many questions of law might arise, that the important post of Chancellor should be filled by a professional lawyer, and to gratify the King the Earl resigned, receiving in recompense a pension of £2000 Scots, besides being created Viceroy of Scotland, for life.

maters, but loft quhat libertie I wfe with zow eaven grite and grave maters als weill as in complements, that zow may requite with the like *parrhesia*. I have sent zour Pfalmes,¹ but they ar written with ill ink, and I have not so gude a hand to copie thame over agane. I think veré weill of thame, and wes excerceing my self in some scolia making, but now muche empeschd with a trublesome office of Sherefschip, espectiallie about captiones, quherwith the guarde wes wont to take ordour, and now bund on the baks of schereffs. It were gude that these Lordes that ar from the Sessione fet a parte, wer made shereffs into their awn sheriffdomes quhair they duell, becaus they vnderstand best, and have more authorite nor wthers heir *joco-serio dictum*: and so rests zour awn if any bodies,

S. PAT. HUME.

AITONE, Martii 22, 1626.

To my verie honorabill and affurit gude frinde,
Sir Robert Karr of Ancrome, knyght.

The EARL OF HADDINGTON to SIR ROBERT KERR.

1627
October 8.

RYGHT HONORABLE, Dutie so presses me to hafte to court the noble Earle of Morton's letter, that I can not at this time write any thing but vnfeyned thanks to yow for your letter of the last of September. I pray yow take not ill what the Counsell did anent the sequestration, becaufe ye had no decreit; how soone ye get it, all the teind will be yours, except the readiest proportion to the good Minister for his Stipend. Your Sonne is diligent and carefull, and hes all his companie except officers, which ye must studie to help, if he be not provyded by the Earle of Morton's meanes before or when he comes to yow. My Lord is in good health, and readie to part so soone as the wind fall consent. God bleffe him and his cum-

¹ The metrical translations of Pfalms by Sir Robert Kerr, (hitherto unpublished), will be printed in the Appendix.

panie, and grant yow as great happines as I wish to your most loving
Seruant, HADINTON.

ED^r, 8 Octob.

To the right honorable Sir Robert Car of Ancrame,
knight, gentleman of his Majesties bedchamber
at Court.

1627
October 11.

SIR WILLIAM KERR, afterwards EARL OF LoTHIAN, to
SIR ROBERT KERR.

SIR, By Sir Jhon Stueart I receved two letters from yow, the one
of the 17th of laft and the other of the 1st of thes month. Yow wrytte
fhorte, yow fay, becaus yow expect my vp comming. We have
changed our resolution of coming by land, becaus of my Lord of
Morton's indisposition.¹ Tomorrow we imbarke att Lieth, and are

¹ From this and a passage in the preceding letter it would appear that Sir William Kerr and his company formed a part of the Duke of Buckingham's unfortunate expedition to the Isle of Rhé. In the *Court and Times of Charles I.* vol. i. p. 267, there is a letter from Mr. Beaulieu to Sir Thomas Puckering, Sept. 19, 1627, which contains the following passages:—

"About a fevennight ago, one Dolbier, who had been heretofore treafurer and secretary to the Comt of Mansfield, came from the Island of Rhé, being dispatched by the Lord Duke. . . . Dolbier's chief errand is not only to hasten the sending of 6000 English, Irish, and Scottish, which are already levied, but also to prefs for a further supply of 7000 more; to what end or for what design I know not; but the men will be sooner found than the money. My Lord Wilmot is now upon his going with the 2000 from hence; and the 200 Scottish, whereof the Earl of Morton hath the leading, are to embark on the 20th of this month, and to take their arms at Dover. . . . The Dunkirkers' thirteen men-of-war that were gone about Scotland are come in safely, notwithstanding the Hollanders' ships that lie before their haven."

An interesting account of this unfortunate Expedition, written by the celebrated Edward, Lord Herbert of Cherbury, was addressed to Charles the First, but suppressed, it was alleged, at the King's desire. A Latin translation, by Dr. Baldwin, was printed at London 1656, small 8vo. The original MS., which was acquired at a London sale many years ago by Mr. David Laing, is now in the possession of Earl Powis. It was printed as a contribution by his Lordship to the Philobiblon Society, under the following title, "The Expedition to the Isle of Rhé, by Edward, Lord Herbert of Cherbury: with an introductory notice. London, 1860." 8vo.

mynded, God-willing, to land at Yaremouth, if the Dunkerkers will give vs leave, and so come over land to London. I thank God I have gotten vp my Company almost miracoulusly, w^t very litle assistance of them should, and proffess them selves to be my friends. I will lett yow know more when I sea yow then I will wrytte. Ther are, of 20 Companies should be in our regiment, some 9 or 10 ready to come w^t my Lord ; the rest are to be ready against the 10th of the next month, amongst whome Wedderburne is one that cannot be ready. By this yow sea how hard men are to be leaved in this country. Ther is so generall ane vnwillingnes in our country to any warr (for I cannot think they except against it becaus it is against France, for they are only baffe people that know not how wee and France have stood this 8 or 900 years), as yesterday a man that was taken by Sir William Balendene's Bayly in the Cannongate for ane ydle man, when he was pressented before the Counsell, and by them discerned for ane ydle man, he, wⁱⁿ the Counsell house, strooke that Baylie through the body w^t a dagger. For my Companie, I have few but they that came to me frealy in Tividale, and I think w^t a great deal less charge then any company hath bean raised. I am att a great deall of trouble, becaus I have not Officers. That gentleman I writte to yow off, hes broken to me. Sir, if it be pofible, I would yow would help me to some Officers ther. Till I gett them, I will, when I come away, devyde my foldiers in squadrons, and get the gentlemen of my Company.—Your most loving and most obedient Sonne,



From EDINB^g, October y^e 11, 1627.

To the right honorable Sir Robert Carr,
gentleman of his Majestie's Chamber.

1628
October 7.

SIR ROBERT KERR to DR. DONNE,¹ Dean of St. Paul's.

SIR, I was never better pleased then when I met with your letter at this house when I came to it from Court, for by it as more by my wyffe and childrens being in it, I had cause to like it better then the Court, for I longed to heare from you, and to fynde you so much maister of these encombrances which assail your invincible spirit through the mudd of your bodye. I would the Rochell² could hold out as wele. Whatever your contemplation be of angells, I am so much conversant with creatures of another nature, that I would be glade to meet with you who, I am sure, are of a middle temper at least between them and me, besyde the infection of my dayly conversation, that by your help I myght be made fit not to be unworthy of your company, or at least I myght know how to be usefull to you or my self, or any bodye els in this new spheare of courtship we are entered by the Duke's death.³ For this cause, or any other reason, if you will remember that whersoever you have lost your self all the rest of this summer, none of it was cast away on me, and therefore in this fayre weather, which God, I think, hath bestowed on our navye onely to make it so much the less excusable if it cum back *sans coup frapper*, if you will (and I pray you will it) come and spend some part of your lyffe more with me, bringing with you what men or bookes you please, and we shall talk of all that is past freely, and it may be take some not impertinent resolutions for the rest of this yeir and of our lyffe to cum if God have allowed vs any; and if eyther of vs dye quickly it will mitigate our separation so farr that we have taken so freshe goodnyght.

¹ Dr. John Donne, the eminent English divine and poet, was born in 1573; was preferred to the deanery of St. Paul's, London, in 1620; and died March 31, 1631.

² Alluding to the siege of Rochelle, long occupied by the French Protestants. See note 2, p. 47.

³ George Villiers, Duke of Buckingham, was assassinated at Portsmouth, on his return from France, by John Felton, August 23, 1628.

Iff I be the first that pairts, I will think my familye the happyer that yow were so lately in it; and iff yow goe before me, there be none now living on the earth whom I will so implicitly trust to chalk me a way that I may follow, or with whom I will more contentedly converse so long as wee lyve heir, so hath your extraordinary worth made happy by your friendship your faithful friend and feruand,

S^r ROB. KARR

Kew, 7 October, 1628.

Endorsed by Sir Robert Kerr—"The copy of an anfore I wrote to this lettre of doctor Donnes, then deane of Paules."¹

SIR WILLIAM KERR to SIR ROBERT KERR.

1628
November 14.

SIR, Although I have nothing to writte, yet I would not misf this occasion to lett you know that after much foule weather our shipp came in hear into Portsmouth harbour² on Sonday att night the 9th of this

¹ Various short letters from Dr. Donne to Sir Robert Kerr are contained in the posthumous volume of Letters, published by his son at London, 1651, 4to. They will be given in the Appendix to the present volume. That the autograph letters are not preserved at Newbattle, may have been owing to their having been sent to the younger Donne, and never returned.

² On their return from Rochelle. Mr. Beaulieu, in writing to Sir Thomas Puckering, November 12, 1628, thus describes the disastrous end of this ill-fated expedition:—"You had by my last the sad news of the rendering the poor town of Rochelle, after she had lost 14,000 or 15,000 of her inhabitants by famine, having been four months without bread. . . . Our great fear is, that many of our ships are lost by the most violent storms which they have had since the yielding up of the town; for before they weighed anchor from that road, five of them were cast away in one night, and of all the rest we do not hear that there are as yet above twenty or thirty come back, having been all miserably scattered at sea. . . . The Vice-admiral, which had my Lord Morton aboard, is come." (*Court and Times of Charles I.*, vol. i. p. 424.)

La Rochelle, a strongly fortified town and seaport of France, is situated near the extremity of an inlet of the Atlantic. It was long held as the stronghold of the French Protestants, and was several times besieged without success. At last, in 1628, after a

month. We are all in health, I thank God, and all this woyage never haue lost a man nor any sicke. We are staying for orders wher to take out our men, and how they shall be bestowed. I wish it may be foone, for it is miserable cold a shipboard. This is all I have to wrytte, or the messenger's haste will permitt. If yow have anything to command me hear, your letter will fynd me. I pray, Sir, send me word what I shall doe to my Captain. So I rest your most loving and most obedient Sonne,

WILL. KERR.

From PORTMOUTH, the 14 of Novemb. 1628.

1629—
April 13.

JOHN, LORD BALMERINOCHE, to SIR ROBERT KERR.

SIR, I hope yow will pardon that I am in these tymes behinde with yow in exchange of letteris, in hope that I shall endeavour to be nothing shorte of that which shall bee found within my power to perform in all that thes require of mee. I wrote to yow latelie at the lady Newton's desire, to shew her constant respect and trust in yow for preserving the estate of that house which she brought to depend vpon youris, quhairvpon shee hath presumed to vse your name in the gift of her grandchildis warde and mariage; and becaus the signature by the Lordis of the Excheckeris and Ordinance lyeth vnpast the seales

siege of thirteen months, carried on at enormous expence, with the Duke of Buckingham's failure at Rhé, and his murder, the Rochellois were left in a most hopeles state. The English fleet, sent in October that year for its relief, having failed, the place was constrained to submit to Louis XIII., who made his public entry on the 1st of November 1628. He caused the bastions and other fortifications to be demolished, the fosses levelled and filled up, and treated the inhabitants with great barbarity. The expences of this last siege, according to President Henault, amounted to forty millions (of francs); but there was, he says, this grand result: "Ce fut une coup mortel pour le Calvinisme, et l'événement le plus glorieux, et le plus utile, du Ministère du Cardinal de Richelieu." The fortifications of the town afterwards were restored by Vauban in the reign of Louis XIV.; but the Protestant cause was extinguished, and France still experiences the effects of such *glorious triumphs*.

till your mynde be knowen, it is her earnest desire either by your prefence, or your pleafour in write, to knowe your will toward that houle and her felf with convenient fpeede.

How welcome your Son will bee to my wife and my felf, even for himfelf, although hee were not the fon of fuch a father, I will not exprefse in this fuperciarie manner, but rather in thefe reall effects which yow fhall ever expect from your faithfull freind, ever to difpofe of,

BALMERINO.

EDINBURGH, 13 April 1629.

To the right honorabill Sir Robert Car of Ancram,
gentleman of his Majeftie's bedchamber at Courte.

SIR WILLIAM KERR to SIR ROBERT KERR.

1629
September 19.

SIR, In my other letter I told yow, on the 11 of September, the enimie parley'd, and on the 13 they agreed¹—the conditions for the burgers and the towne as Breda, only the nunns are to ftay there lives but none to come in there places; the friers have two month's tyme to doe the bufines, only the Jefuift march'd away w^t the foldiers—which was Monday following the Treaty. The 17th there came firft the Prince of Orang his troope, and one troope of the Count of Strome vpon the head of it, then a troope of thers of archabufiers, after this fome 50 fyrellockes of thers, then many squadrons off our horfe that were apoynted for there garde, then the wagans, in number 1300, full of hurt, and women, and goods. Then the Governour's wyfe and daughter, then there footte in a body, about 1000, vnder 22 Enfiengns, then the Governour and fome Gentlemen w^t him; after him three

¹ This letter evidently defcribes the capitulation of the town of Bois-le-Duc, in Brabant. Frederick Henry, Prince of Orange, laid fiege to it with 30,000 men, on the 27th May 1629. It was defended by Baron Grobendonk, and notwithstanding repeated efforts made by the Spanifh commander, Van den Berg, to raife the fiege, the town was forced to capitulate on the 14th September. From this it would appear that Sir William Kerr had, along with other Englifh and Scottifh gentlemen, given his fervices to the States-General againft Spain.

troops of horſe, the beſt I ever ſawe. They brought out w^t them 3 whole and 3 halfe cannon, and two bombards, which came not forward that night for the ill way. This is all I can wrytte concerning the Towne. The Quean of Bohemia¹ was there to ſea them march out. Now I goe vp to Arnham, what we doe ye ſhall know [in the next]. I reſt your moſt loving and moſt obedient Sonne,

WILL. KERR.

From BUS . . . the 19 of September.

1629
November 20.

SIR WILLIAM KERR to SIR ROBERT KERR.

SIR, I writt ſo particularly in my laſt letters by my marchant thatt I can write nothing in this, ſaving that Capt. Adams will have it as yett we have gotten no reſolution from the Eſtates but looke for itt today or this day ſeavennight. I mett two days ſince w^t Capt. Vanderap, whoe deſired me to write to yow that theſe notes you deſired of him are almoſt ready, which he will ether ſend over w^t me or give them to ſome other if I come away before. Since Mr. Hadan's death the Prince hath bean dealing w^t Sir James Levingſton to take his place of Lieutenant Colonell to Sir David Balfour, which he hath long refuſed, becauſe he hath commanded in a higher degree, but by the adviſe of the Queane, and the Embaſador, and my Lord Veer,² and all the other Colonells, he is perſwaded to receive it, which now he hath. He hath it, w^t the adition of Serg^t Maior Generall to Count Erneſt's Brigade, which Sir Jhon Hackett executed before. Sir, you will be pleaſ'd not to take notice of it, till he writte to yow him ſelfe, becauſe he told me he would writte to yow, to lett the King know he had imbraced futch a charge and why. Capt. Flood ſent me word the other day, that the armes yow deſired him beſpeake are readie, and deſires to know whatt yow will have

¹ The Princeſs Elizabeth, only daughter of King James VI., married in 1613 to Frederick, Eleſtor Palatine, and King of Bohemia.

² Robert Vere, who eventually ſucceeded to the title of Earl of Oxford in 1625, was killed at the ſiege of Maeſtricht in 1632.





STONE AT ANCRAM HOUSE



STAMP AT ANCHOR HOUSE

1631.]

Earls of Ancram and Lothian.

51

done w^t them. I have nothing els, but rest your most loving and
most obedient Sonne,

WILL. KERR.

HAGE, the $\frac{20}{10}$ November 1629.

This day the Embasador gott his first audience.

To the right hono^{ble} Sir Robert Carr,
gentleman of His Majestie's bedchamber att Court.

SIR WILLIAM KERR to SIR ROBERT KERR.

1631
November 5.

SIR, Jhon Kerr, according as yow gave him order, is comming
away towards yow. The cause of his long stay hear was becaufe he
could not leave his service before the Tearme, and also to doe some
of his private affaires. I fend these, therefore, w^t him, to lett yow
know that to day he goeth from hence to ship, and that I give him
20 lbs. Scotts to bring him to yow. I fend w^t him also the breadth
and length of the stone w^t the Armes is Over Ancrame gate, and
what is carved and written on itt.¹ I receaved yesterday, by Sir
James Oliphant, letters from yow, which I will anfwear w^t a more
certaine passage then the sea. I am now providing for the Tearme,
which is near, nor can I write any thing els att this tyme, but reste
your most lovinge and most obedient Sonne,

WILL. KERR.

NEUBATLE, y^e 5 November 1631.

I fend also my Cascketts yow writt for.

To the right Hon^{ble} Sir Robert Carr,
Gentleman of his Majestie's bedchamber, these.

¹ This stone is still preserved at Ancram House, and measures 20 inches by 27 inches. On it there are shields, bearing the arms of Robert Kerr and Isobel Home, with the inscription, "Robert Kerr and Isobel Home, Foundar : and Compleitar : Anno 1558."

1631
November 9.

SIR WILLIAM KERR to SIR ROBERT KERR.

SIR, I got from Sir James Oliphant a letter from yow of the 20 October, and now this day from Sir James Kerr two of the 23, but doe not remember the reciet of any by way of my Lord Traquaire's packetts. I have in some maner, by Jhon Kerr that dwelt att Sinlawes, whoe comes by sea to yow, answaired that of the 20. He brings also the largnes of the stone is Over Ancrame gate, with all that is cut on it as I could drawe it; yett Sir David Hume tells a great part of his armes are not contained there, which the next occasion yow shall receive by his informatione. For that yow write of the title, I hope it nor earthly thing shall make me forgett my self nor others, but rather make me more strive to keap off envy and censure by my humbler carriage: Nether can I, Sir, for your extraordinarie care of me, add any thing to that deuitfull respect and affectione I bear yow naturally, which is already so much as more can not be. I am now in Edinburcht to advice with Mr. Lewis Stewart vpon the right of Jhon Cranstone's anuall rent on the Spittal. He could not thinke on any way to shun the payment of it: Yett we must see more writts, for my lord Ramfay he advysed to gett a letter from the King to the purpose Marke sends yow, wherof there are many presidents. He fears the action otherways wilbe long and much to my lord's advantage. I have also offered my Lord Kilcreugh 5000 marks for his interest in Dophinston, which he hath taken to advise. I shall not be hastie with Mr. William Jamesone, nor faile to deall warily with Jhon Kerr, whoe, I imagine, repents his not coming to yow when I left yow att Walengton. Yow told me Corbett would goe on with that match with Griffell Hackett, which he hath altogether left off, and by your consent he gives out. Since that tyme I have not seen him, only I see his letters to Lilius Dundas, Sir James his youngest daughter, whom he sollicitis passionatly. Yett the yong woman and hir oncle, the Laird of Dundas, and hir othir friend, have absolutly

given him the refusall. Pitfirrane takes the way of itt wery ill, although he was not mutch in love with the match. I shall fatisfie him the best way I can till I hear from yow.

Sir Henry Wardlaw has noe money, as yow will fynd by his letter. I shall hawe mutch to doe to fatisfie all credittors this terme, because at Martinmas little rents are payed in this country. Howfover I shall strive to fatisfie the rest as I have done my ladie, whoe is payed, which will put off the danger of the claufe irritant att this tyme. Today the escheat is past the sealls which Andro Kerr shall have assignation to, when he hes fatisfied those men yow left him order for. Jhon Kerr of Neubatle will neads have att this terme his uhole fumme. I have nothing els to writte att this tyme.—I rest, Sir, your most loving and most obedient Sonne,

WILL. KERR.

EDINBURGH, the 9 November 1631.

To the Right Honorable Sir Robert Carr,
gentleman of his Majestie's bedchamber att Court.

SIR WILLIAM KERR TO SIR ROBERT KERR.

1631
November 24.

SIR, I have already wretten att so mutch length in answear of letters from yow and what I could from hence, that att this time I can say noe more ; yett I will. I misf noe occasion nor to give yow account of every thing I doe. I writt you in my last that Sir Henry Wardlaw had refused to pay your pension ; but my Lord Traquair yesternight gave me better answear, when I desired he would be pleased to pay it, or els to fatisfie the Towne of Edinb^r for what is dew to them att this terme. I hope tomorrow all creditors shal be for this terme fatisfied. Receave, Sir, this box w^t pills, made by Jhon Hamelton att the Bishop of Cathnes his directione, and his letter. I have today gotten the only writts my Lady had in keaping, which

are the fewes of the east and west Houfes, which are the most principall concerning Neubatle. I have granted the receat of them from her by a note of my hand. Also we have gotten the tax of the Teands of Nisbetts for a matter of nothing, which are of consequence. . . . I rest, your most loveinge and most obedient Sonne,

WILL. KERR.

EDINB^R, the 24 November 1631.

To the right Hon^{ble} Sir Robert Carr,
Gentleman of his Majestie's bedchamber, att Court.

1631
November 30.

SIR WILLIAM KERR to SIR ROBERT KERR.

SIR, I receaved, by Mr. Haig, a letter from yow of the 15 November, which was the night the 26 of the fame that my wyfe was brought to bed of a daughter, whom the next day, Sondag, I christned Anne.¹ Hitherto, she is as well as women in her estate can be, and the child lyfelyke.

I had that day ended in Edinb^r all my terme busines, and have only taken as mutch money as payed Jhon Kerr, whoe would by noe means want his principall summe

I expect by your next letters to hear from yow concerning my Lords Hadinton and Ramsay, and for what concernes the Tytle, I remett the tyme and way of it to your pleasure, nether will I take notice what it is but from yow, although it is commonly knowen here; nether can things of that nature that passses the Secretary's man's hand be conceal'd; yett if there be any alteration, it had bean better from the beginning. I sent yow a pacquet from the Towne and Provieft of Jedb^r, which they desired I should recommend. I hope yow will sea it concerne not my Lo. Hadinton (whoe is now agreeing

¹ This lady, in due time, became the wife of Alexander Frafer, Master of Saltoun.

w^t them) nor my Lo. Jedb^r; otherways if yow assift them, ther good-will to doe yow service will deserve it. I have nothing els att this tyme, but rest, Sir, your most lovinge and most obedient Sonne,

WILL. KERR.

NEUBATLE, the last November 1631.

To the Right Hon^{le} Sir Robert Carr,
Gentleman of His Majesties bedchamber.

SIR WILLIAM KERR to SIR ROBERT KERR.

1631
December 9.

SIR, Although yow blame me for not writting or att least vnwillingly, by your last letter of the 27, by my Lo. Newabbay, yett this is the 6 I have written w^tout hearing of your receipt of any of them. They can not miscarry but in the hands of one of your secreteraries, for they came all by packett, which, although it comes slowly, yett I tooke thatt occasion (which I only found) rather then not write. I gave yow account by them what I had bean doing almost since I left yow att Walington, and most particularly what att this terme for satisfaction of creditors as also what I desired yow should doe concerning my Lo. Ramsay, which is the principall buffines to[o] long neglected, as also what yow should desire from my Lo. Morton, and that yow should writte to my Lo. Hadinton or Biny; otherways thay will take notice of nothing, but put us backe againe to yow. After the Christmas vacation it wilbe fittest to fall on my Lo. Ramsay, which if we seake by lawe wilbe tedious, and almost desperate. But y^r only way wilbe by that letter we desired from yow, wheroff Marke Cals sent a copie that yow gett the King's hand to. Yow are to resolve which amongst the Lords of Counsell and Session yow have in list yow will make choose of. You must also writte a letter to y^r Advocatt, that he may assift vs to gett my Lo. Hadinton's renuntiation formaly, and that my Lo. suffer not in his composition w^t

the King, for the few deutytes, which although Sir Jhon Preston had in pension these former years, yett they are now my Lord's by transaction w^t him. Sir Jhon's man was yesterday with me for 25 years fewdeuties. I shall compound with him the best I can, vnless yow know of discharges therfore. I have delayed him till I tooke out your writts

Concerning myself I writt two days since by Sir William Alexander. I beseech yow confidder it, and for the Title which I thinke yow are about to change from the first patent yow had under the King's hand, and which is publickly knowne by many letters, and of these are come from thence, what censure it will vndergoe and what discourse it will cause, yow may easily judge if the change proceed from the *bien séance* my Lo. Traquair told me off, and was the reafone he brought it not downe according to the first draught, which was that the Sonne should have a tytle before the Father. I thinke that can not be considerable since any honor I have is yours, although it had discended on me without question from my Lo. Lothiane, and not by your procuring. Nether can any sonne be more respectiue of nor obedient to a father (nor w^t more reafone) then I am. If yow lessen then your owne deed it will make the world thinke I have given yow cause (which I am not in thought guiltie of) not to esteame of me as I am to yow, or that I am not what nature and your more then extraordinaire care of me, oblidges me to be. Therefore I beseech yow, Sir, alter it not (not that I am vaine of futch a Title or place), but for the discourse will follow on it. Lett me, then, Sir, have no honor but what will descend by yow, or all that my predeceffor had, at least in name, for I had rather be nothing then Lo. Newbatle. And I thinke this third would be mutch more for your honor and the satisfaction of my Brother's friends; if yow gett not ane Inglish title to take one hear for your self to descend on him, to be in date and place before myne. I beseech yow also confidder my other desire in my former letter about my going abroad awhile, which desire wilbe augmented to be out of the way vpon the discourse wilbe why yow have repented of that yow

1632.]

Earls of Ancrum and Lothian.

57

first procured for me. . . .—Your most lovinge and most
obedient Sonne,
WILL. KERR.

NEWBATTLE, the 9 December 1631.

To the Right Hon^{bl} Sir Robert Carr,
Gentleman of his Majesties Bedchamber.

SIR WILLIAM KERR to SIR ROBERT KERR.

1632
January 28.

SIR, I receaved your letters w^t the patent¹ in Tividale where I
was, from whence I presently parted to gett it put in Latin and pafs'd;
which now wilbe on Tewfday the next Counsell day. Mr. Patricke
Sands² tran slated it, but it is now mended by the Advocatt, and going
to Sir Jhon Scott's chamber to writte over. I have delivered all
your letters, and they all exprefs'd there contentment w^t many good
words and there respect to yow. I shall writte of every thing att
more length when it is allowed in Counsell. My Lo. Advocatt's
packett brings this to yow, whoe is your most equall constant friend.
I rest in haft, Sir, your most lovinge and most obedient Sonne,

EDINB^g, the 28 [January],
1632.



To the Right Hon^{bl} Sir Robert Carr,
Gentleman of his Majesties Bedchamber att Court.

¹ Sir William Kerr was created Lord Kerr of Newbattle and Earl of Lothian,
October 31, 1631.

² Patrick Sands, A.M., in 1589 had been chosen one of the Regents or Professors
of Philosophy in the College of Edinburgh. In 1597 he resigned this office, when he

1632
February 1.

SIR THOMAS HOPE to SIR ROBERT KERR.

RYCHT HONORABILL, I reffautit your kynd and hartie letter, and hes contributtit my best affectioun to the inauguratioun of your deir Sone, to quhom I pray for a bliffing in his dignitie and estaite. His patent wes past and expied with greit respect both to yow and him, and to him, both for yow and him felse, a worthye sone of a worthie father. He may thank God quho hes gevin him fuche a father, and yow that God hes gevin yow fuche a sone. Be thankfull, and God will blisse his bliffingis to yow both. And I fal never cease to wische the intreste thairoff, as one quho long since hes takin yow for a patroun, and shall never varie nor change from the promise and resolution to be and remayne, yours maist faythfull and bundin feruitour,

S^r THOMAS HOPE.

EDINBURGH, 1 February 1632.

I am still waiting for his Majesties gracious fauor and inclinatioun to my Sone.

To the rycht honorabill Sir Robert Kerr of Ancrum,
knycht, gentlman of his sacred Majesties bed-
chamber, and one of his Majesties honorabill
privy Counsell of Scotland.

1632
April 5.


WILLIAM, EARL OF LOTHIAN, to SIR ROBERT KERR.

SIR, I have written att futch length in my Lo. Roxbrough's companie, that now I need only to mention it and this bearer, if I had slip'd that occasion, would have eas'd me the writting att that length,

accompanied Robert, Earl of Lothian, in his foreign travels. He married the daughter of Provost Aikenhead, who obtained his appointment as Principal of the University in March 1620. This he resigned in August 1622. Sands died in the year 1635. (See *Crawford's and Dalzell's Hist. of the University*.)

because he is foe carefull of any thing concernes yow, and thinks himself so interefed, that I should have refferd to him to give yow account of what yow should know. This makes me foe generale and fhorte. Only this, Andro Kerr of Litleden will neads come vp to yow to gett that charter subscribed, which he sayth yow halfe promifed. He may be very vfeull to yow for getting that parte of his father's estate yow possels, because he knowes and hes studied to his tricks of law. But, Sir, whither yow doe it for him, or Lochtour, I pray yow fend me the Charter, that I may make them doe what is fitt for yow. I will reffer to this gentleman to tell yow what we have bean doing this last Seffion, and are to doe in this Vacation, and what we desire your affist-
ance in.—I reft, Sir, your most loving and most obedient Sonne,

ANCRAVE, the 5 Aprile 1632.



To the right honorable Sir Robert Carr,
gentleman of his Majesties bedchamber att Court.

ANNABELLA, COUNTESS (Dowager) OF LOTHIAN,¹ to
SIR ROBERT KERR.

1632
May 1.

SIR, Al this whyll that I haue not wreten was no falt in my respect to you, nor any change mongst vs at home; only I ly a little out of the way of packet or passenger, and yet hath nothing to fay bot that we ar all of one hairte heire, and fuch a sone you haue giuen me, that I thank God for him, that when I think he hath all the loue I am able to bestow on another, he dayly gains more and more of my

¹ Lady Annabella Campbell was daughter of Archibald, seventh Earl of Argyll, and married Robert, second Earl of Lothian, to whom she had two daughters, Anne and Joanna. The eldest, Lady Anne Kerr, married Sir William Kerr, who was there-upon created Earl of Lothian, "the dignitie" mentioned in the letter.

afection ; fo, if oths were fuitable expreffions in fuch a cafe, I could
fwere he fufficiently deferues the caire we haue hade in fatleing his
eftate, and your paines in purchafing the dignitie, which in my poore
opinion is well. So, leauing all particulare to your confideration of
what I haue faid and done heirtofore, and bynding vp all the confir-
mation of old acquaintance and new alyance, vnder the name of your
Sifter and feruante

A. LOTHIANE.

POLTOUNE, i May 1632.

To the right hono^{ble} Sir Robert Ker,
Gentleman of his Ma^{ties} bedchamber.

1632
September 27.

The EARL OF LOTHIAN to SIR ROBERT KERR.

SIR, I was very glad when I receaved your letter which bid me
keap vp that yow had written to my Lord Hadinton, which I had a
great mynd to have donne of my felf, at leaft have taken away some
words which would not have any thing altered the fence, but made it
lefs difpleafing to him. Mr. Haig, when he went from hence, made
a motion to him (which he nether aproved nor difliked altogither) of
felling to yow your right confidered, and that he had gotten from
the vaffalls to be a part, which I have always thought would be the
befst way to deall with him whoe hath more violence and paffion then
ftands with his wifdome ; whoe, befides the defire he hes of heaping
and hatching wealth, thinks it a leffning of the opinion men have of
it, if he have left any hole for the law to come in to take any thing
from him, which he muft needs fea in this, if there be any equity in
Scotland ; and therefore, I think he will take that faire way to come
aff with his honor, and that moft men will think it donne to the
friendfhip hath bean betwixt yow, which certainly he would intertaine
at any rate, but at the los of futch a peece he gapes fo mutch after,
but will never yeald to have it wrung from him without all the

oposition he and law can make ; nether will he confidder the faythfull friendship yow have followed him with all, nor yow, I hope (when nothing will doe), will facrifece futch a morfell to his ; but yet make not vse of the axe that he may be vnexcusable to God and man. While I am writting this, your packett came to my hands, with the letters from the King to the Bishop of Cathnes and the towne of Jedburgh, which came in time for to morrow. I was howfoever going to Tividale to the burials of Andro Kerr of Newhall or Fadenfide, rather Sir Thomas Kerr's vncl, and of the laird of Linton. I shall with the best advice I can, doe what that can doe, that the letter which concerns my Lord Jedburgh, succed. I commit the successe to Him I only rely on in every thing, and not any thing I can doe of my felf or by mortall advice, for I must confesse I take the opreffion of the houfs of Pharniherft mutch to harte. This is all I can write in this purpose, only in ane other I gott a letter latly from my Vncl¹ that tells me yow perfwade him to give over his place of *gen d'arme* to Andro Abernethy, whoe is now, att his father's earnest desire and his owne, taken himself to follow me, which I did not desire, and told his father, because he was my foe near kinsman, it would not be fitt he lived with me but like that : his answer (and I give yow his owne words), that "since God had honored, men should not be ashamed to doe the same." Therefore I think he intends not any more to goe abroad sudainly, and his father fayth, he hes a defluxion which made him leave off to goe to my Lord Buckleugh's companie to Holland. Now when this letter comes to your hands, by my Lord Grandizone, and ane of a former date by a fervant of my Lord Lauderdalles, yow have all I have written in answer of yours since the 7th of this month.—I rest, Sir, your most loving and most obedient Sonne,

LOTHIANE.

NEUBATLE, the 27 September 1632.

Thomas Kerr, son of William Kerr of Ancram. See a reference to him, page 1.

1632
December 20.

SIR ROBERT KERR to the EARL OF LOTHIAN.

YOUR lettres I think now have all cumid to me, which yow mention, but so *ίστερον προτερον* that this which I ansure heir came laft to me which was first in your order: it is of the 24 of October, and should have cumid with my Lord Traquair who should have been one of the first of your Lords that are now cumd, and he was the very laft. He was sick, he sayeth, and when I asked him for a letter yow had mentiond sent by him to me, he said, he had hasted it away from him when he saw he could not cum with it himself, so as he could not remember by whom, but it came to me next day after this question, and was delyvered by I know not who, layd in at my chamber. And becaufe it beginnis with your receiving my advyse for building in Ancrame,¹ and what yow would do about the parkes, so farr as I can think on it for this tyme I will sett it down heir, expecting that yow will eyther do it just as I chalk for yow (because I would have it donne to my fancy), or ells, yow will before yow goe so farr that it can not be altered, give me better reafoun by your next letter. It is for yow that I do all I intend there; and I am glade that yow are aryved at so much vnderstanding as to do as not of your self as by my advyse. Butt if I paye for it, take my counsell along with yow, and God blefs and direct yow in all yow do. It was my cair to give it a new frame, for it was only cast acording to the forme of that tyme wel aneugh, but so out of square that I did lett the lower roomes decaye, having it always in my purpofe to mend them; none of them being worth the keeping. But the Tower, which to beginne with, I would have yow for your present vse, because yow meane to sommer there next yeare, God willing, to make the roome vnder the hall your

¹ Robert Kerr, second son of Sir Andrew Kerr of Ferniehirst, obtained the lands of Woodhead, etc., in Over Ancram, in feu-farm from the Monastery of Jedburgh, July 7, 1542. (*Regist. Mag. Sigill.* lib. 22, No. 350.) He was the "Foundar and Compleitar" of Ancram Houfe (*see* note, page 51), which his grandson Sir Robert Kerr proposed to alter in the manner so minutely detailed in the above letter.

ordinair eating roome; not weakening the walls there, by stryking out new wyndowis, butt taking away the partitions, that all the 3 lights as these are, may meet in the center, and so yeild light aneugh, being only glas'd and kept as theye are, strong in the out fyde, because the world may change agayn; and all the infyde of the wyndowis lett them be enlarged doun to the floor with stepps or some handsome way, iff, neid be payring the infyde of the walls, or flopping them to the breadth to inlarge the light and so pave the floore and make a portall on the doore, and of the little place in the wall make a pantry or roome for the potts and glaffes or cupps, or your plate, with a strong doore.

Then smoothe the staires with lyme, and glaife it all, enlarging the wyndowes on the infyde, and flosing them doune to the bottome, as the chamber I spoke first of, so to the topp of the stayres; and off that room above it, and is now the dyning room, make a fayre chamber, taking awaye these old long tables and put a round table only in it, which is to be vsed square most tymes; but may be lett out round when yow please to eate there with some extraordinare frend. Yow have hangings anew, and stooles and chayres for it: in the chimney put an yron chimney; a round yrone chymney will be best for it, that men may sit withe it, and therein burne your Lothian coales; and iff yow, for lack of roome, or your pleasure, think fit to fett a bedd in it, lett the head of it stand at that wall between the doore and the wyndow lookes into the cloffe, which, thogh it be not a good place for a bedd, yet it is better then the other fyde in my mynde, but in that vse your fancy to have one or not, or fett it where yow will. Take away the pavement stones, for they are vngracious vpon boords; and matt it, or rather new laye it with even and good boords. Laye these pavement stones on the roome below, where I would haue yow eate ordinarily, which will be both coole in fommer and warmer in wynter, and fitter for that vse as being neerer the feller and kitching.

The chamber above lett it be as it is; but laye the boordes better, and fett but one bedd in it with the heade to the wall in the

mids of the chamber, and lett the partition stand to lodge a seruand on the other fyde, with your trash; for it is fitt to be your ordinary chamber, except yow will take [the other] to your selff, and keep it for a stranger. Of the wardrope also, by enlarging the hight of the walls, and makeing handsome lights, make a chamber with a chymney, and, if yow can, joyne it handfomely to the litle chamber on the top of the stayres, or of it yow may make a fyne cabinet for your bookes and papers, which is so necessary that it can not be wanting for a man that vnderstands these things, and what it is to keepe any thing from the eyes and fingers of others.

By any meanes do not take away the battelment, as some gave me counsaile to do, as Dalhouffy your nyghtbour did, for that is the grace of the house, and makes it looke lyk a castle, and henc so nobleste, as the other would make it looke lyke a peelee.

Out of the feller below take awaye the meale chefts and make it feller all, with a partition for a wyne feller in the inmost corner.

And of the pitt yow are to have good confideration. My purpose was to joyne by it the building I was to make of the old hall, where I was to make eyther lodgings or a dyning roome with lodgings, and so from it having made a vault over the pitt to the sole of the wyndow of the chamber vnder the hall in the touer to make a platfforme to goe off these lodgings in the tower to the other, without goeing vpp and down stairs and thorow the court; but a door to be strukk out between the door of the lowermuft chamber in the tower and the hall on the leuell of that platfforme, and so to goe along that way, and below that there should be a passage down these stayres of the pitt to pafs vnder that vault which makes the platfforme to goe to the kitching; which I would have to be about the place where it and the brewhouse are, but out of the square of the court for fuetnes and offence of fmoke of the chymnyes to the tower, which is so highe above it that the fmoke will cum now and then to the wyndows.

For from the kitching I meant to make a back court, on that even place of the garden behynde the laighe hall, wherin I would have the

elding to lye, peates, and wode, and broome, and rammell, and coales, and hene houfes, and all the mefuage of the houle, which muft be had, and there it is beft out of the way : and from that a back gate to goe to the toun, without going round by the gate att the tower fyde of the bafe court. I would have your ftables all along in a row, but above all, firft to make a fyne fink, for he that beginis not with a fink to lett away the rott filth of the horfe, will never be able to have it fweet. Make, therefore, your great fink there, and lett it runn down vnder ground by a vault to the claye hol, and draw to that great finke all the leffer ones from the fellers and other lower roomes of the houle. The droppe of the houle, being but rayir, may runn above ground, and goe eyther that way and turne the other waye to the killing-bray.

In that tranfe or paffage where now the pitt is, I would have yow make a draw well, both to furnifhe the house, iff at any tyme yow would keep it from nyghtbour feud, and fo to furnifhe the kitching. It will alfo drayne the feller, which is fubject to be full of vnder-watter ones a yeer. Butt iff yow think it will wett the ftayres as the deruhall well doth, yow may putt it out of the tower beyond the brewhoufe, where my Mother began ones to make a draw welle.

Now for the kitching and brewhoufe, in what frame yow will caft them I leave it to yow and the workmen ; but whatever yow build, make it ftrong and large, efpecially where fyre is vfed, and that your chymneyes vent wel, for that is all in all of a chymney.

Now for the laighe hall building, I refer it to your pleafure whither yow leave it as it is, being now rooff'd and new boorded, the walls being of lyme and ftone, and the wyndowes maye be enlarged ; but where it beginnes to be of ftone and claye over the ftable, that muft be built new ; and iff yow will turne over there before yow cum to the vnder chamber, becaufe it makes the court too long, and turns irregularly, I leave it to yow and your workmen. Butt I would quyte leave it out, and turne on an even fquair, eyther with a gallery

and the gate to cum vnder it; and so on the other fyde of the court (by tyme iff yow be fitt to build), perfyt the court with building on the other fyde, as my father intended all his best lodgings of dyning roomes and chambers; or ells iff yow lyke better to lett the fore gate be built vpp as ones it was, and make a gallery with some lodgings on the other fyde, because all the bewty of the garden must be cast that waye, and it lyes to the funne, which in Scotland is a mayne confideration; and therfor (but that is to be donne when yow have more monye and leasure) I would build on that fyde the principall fyre roomes of my house, with a low hall, and the accesfes in the fashion of this country or France; and that to be kept sweet for interteyning my frends at solemne tymes, a whole bodye of a lodging with back staires, and easie lodgings to lodge a great man, and this to be joyn'd to the tower by a balcon or ship-gallery going about the tower to the entry above stayres, mentiond befor. For yow must alwayes remember never to weaken the tower, but leave it as strong as yow can, to keepe in a mistre for a sure staying house, with the iron gate befor and another on the pitt door, and all the yron wyndowes kept in it. But yow are to make the best vse of the present, and therefore keeping it to the best aduantage as it is, and for the shortest cutt and the least charges, is eyther to eat in the high hall, makeing the chamber below it for your seruands, or a low dyning-room, or a warm wynter chamber, or dyne in the old hall, and the chamber within it for a withdrawing roome; and housoever the rotten parte of claye over the stable yow must now build and make a back stairr down where the meill fellar was, or on the corner joyning it with the new chamber, making on that corner a close staires to serue both, because the underchamber stayres goeth vpp utterally. And indeed betyme, iff yow keep that room standing, because of the vault, yow must or may by tyme also draw your gallery from it and the gate to cum vnder it, and so on a straight leuell not flopping vppuward as it doth now (because the passage turned to the right hand, which is now quyte away), and so building another tower

lyke it, fett your fayr building, if ever I or yow do it, vpp from it towards the tower, and so between it and the tower have your garden gate. And iff yow think it fit, a back passage to the towne, juft forgaynst it, devyded with a wall from the garden on that fyde next the toun, and all that even square besyd the old hall made into a backe court for wod, peates, coales, stables, landrys, and all fluttery to be hid from your principall court, which I would have paved.

Now for your vtter court and the approaches to your house, which are most materiall; yow must have a speciall regard to them, to make them fayre and easye and noble and pleasand as the ground will afford, for yow must not contract them now, but rather extend them to a forme futable to your quality; nether is it to be donne all together, butt as yow may overtake it, leaving alwayes place for a better resolution.

I would have that which is the vtter court now by the thorne and the dookat door, and all the old yaird, joynd together, and the dyke next the dowket taken away and the ground levelled, and all the hedge and trees, except those which goe about the dyke towards Gawns croft to the other dyke next to that which was called Gawin Trumbles croft, that is easily donne by digging it, and carying the highest pairt into the lowest, and, so made even, draw one wall juft to the lyne of the corner of your building, where the gate of the house is, and so by it, as far as the wall of your back court goeth, towards the toun green on the one fyde; and on the otherfyde of the old yard as the dyke goeth right vpp forgaynst the other; in the midft, at each end, a great gate to open with two leaves, the one gate to goe furth to the park, and the other to goe furth to the toun, that those that cum or goe from Edinburgh, or to Langnewton, or to Tweedside, may cum in that way. And forgaynst the gate of your house, the thrid gate for your selff to goe to Jedbrugh or eastward, or to Nether Ancrame and that waye, and all Gawen Trumbbils croft left for an vtter green for football; and on the burne vnder Gawne Trumbells house a low bridge to be made for a coach or cartes to

passé, and so the waye made broad and as easy as may be, sloaping vp that bray on the yonder fyde of the bridge towards the end of the way that goeth from Edinbrugh to Jedbrugh, and that which turnes down the path towards Nether Ancrame to be made as broad as yow can conveniently, and casseyd to the water, for passengers to goe easily, and your owne horses to goe to watter that waye, when yow would not lett any goe into the park to spoyle the grasse or make it common. In this vtter green I would have George Karrs house tane quyte away, and Pate Wrights and Ninian Rutherfords and Mitchells, and all that fyde, that this may be converted in a grate warde for horses to goe in that cum with loads or errands from any place, or strangers comon horses whom yow would not admitt to your parke or stables, and may not stay, nor ther horses fast the whilst; and heir to run at ring and glove, and play at football and these exercises which young men must have a place for, it being walld beyond the burne by the wayside that goeth vpp from the watter.

On the other fyde of this ward next to the toun I would have the wall of the garden goe down on the vtmost fyde of the Clay hole, by the high way fyde, down to William Ayres house corner, and so down to the burne, and over it to joyne with the wall on the other fyde that cums vpp from the watter fyde. But it is to be first considdered, that before yow take away these houses within the wall, yow satisfy them for there houses and crofts and other land yow take from them within the faide warde, by putting them in other places as yow may best content them. This croft will be of singular vse and bewty to your house for the only noblest and easiest passage, especially when a bridge is putt over the burne, to have an easy waye to goe vpp to the way to Jedbrugh, and down the path to Nether Ancrame, for the waye as it goeth now vpp the killing-bray is intollerable and also takes so much off the parke away. And before I leave it I would have yow take away so many of these trees which William my brother planted vnadvisedly vnder Gawns croft, about the burne fyde,

for I would have at least so many of them tane away as may make a fayre broad alley on this fyde the burne, to ryde doun that way to watter the horsfes, and so that yow may gallop the horsfes after the watter without goeing to the park for that vse, and that must be had; also yow myght, by making a rayl on the topp of the bank above it, to keep men or beastes from falling over the heuche, will also make a good place to looke over and see running at glove, which is an exercise, thogh you care not for it nor no horfemanship, yett your succeffors may, as wele as your father and your other predeceffores did. For yow must make all things of bewty and ornament and vse, not only for your selff but other folk; and I love to see a house not straitted or minfied, but to have aneugh of roome in a large noble manner; nor is it all to be donne at ones, butt piece and piece, and to be disposed to that effect as yow may overtake it. I am so carefull to have it so that I am the longer on this; for or it be donne it will cum to the volume of a booke, thogh it be but chalk and not sheawes, iff God will give vs leave eyther of vs that hath donne greater things for vs, and iff wee dye by the way lett it be donne as they will who cum after. So to proceed, leave that pairt of the killing-bray that is right vnder the entry where the thornes are, and all the rest of the bray, for the women to drye the cloathes and to bleech on, for that must be donne and the wells and watter ly best to it, and so make a sloping passage to goe along from the park gate doun vnder the place where the old Schoole house was. For iff yow will keep a waye to go doun the braye to the parke, lett it be digd even and goe sloaping first to the old scoole, and so turne to goe doun to the burne and so vpp into the path, before it goe to the watter; but it will be the most inconvenient and vnseemly waye except yow would keep that waye thorow Gawns croft for hollye day, and sometymes for your vse or strangers entrie from Jedburgh.

For on that pairt of the bray from Thoms thorne doun vpon the edge of the bank and ryfing from a poynt lyke a triangle even vpp to the douecot, I would have yow make a high dyke or wall as highe as the park wall, and within plant a fayr orchard of the best fruits yow

can gett in the abbyes about yow ; for that place is fitteft for fruit of all the places about Ancram, as lyeing wele to the funn and vnder the north wynd, and ane excellent foyle for that purpofe ; make a walk vnder the doucot yarde dyke to walk vnder the north wynde within the orcharde, and then on eyther fyde a fayr rowe of good fruit trees, with a gate at eyther end to go into it, and out to the reft of the parke ; and from it, as alfo from the long alley, and above it, extend that walk all along the bank heade to the litle bank, and on the topp off it too, till yow cum to the even ground that goeth to the kirk, and planting all the fteep of the killing-brae with birkes and ony other fortes of trees, be tymes it will be a pleafant walk both for fight and fmell, and keep the hafells of the litle bank vndestroyed, for theye are the beft and ayrlyeft nuttes of all the countrie, efpecially feeing yow have non neerer then Stokraughe, for I would have noe trees nor bufhes within the park. And iff yow pleafe to draw that dyke yow fpoak of from the Kirk bridge, fo as all vnder it towards the watter may be haye, I lyke it wel, fo yow make a convenient paffage for the beafts to gett watter, and men to goe to the watter above it, without there running over to Nether Ancrame corne, which would be compleet : indeed, iff yow agree with Mr. David Symmer, and fo putt his kirkland into your parke, with a high wall round about it, it would compare then with an Engliſhe parke, and it hes fo comd that it may be eaſily donne, for yow have ſtones on both fydes off the watter anew, and it cumms jumpt to meet at the Catcraig for-gaynft it. But till yow gett it make the beft of your oune, and by any meanes take in the Braidlaw, but thereon feid rather ſheep then any thing ells, except yow take in ſome of the holloues or even grounds of it between ſome of the knowes, and keep them as partitions to putt in colts or fommer graſſe horſe, and ſome for ſtrangers, and ſome for caryages that will cum to yow every daye, and it is both thrift and bounty to have ſuch diſiſions in plenty as yow may : for the Bradlaw yeelds many of theſe that may be mowed by tyme, and yet referue anew of the knowes and vnequall grounds for your ſheep walkes

from the watter fyde to the highe waye that goes towards Langnewton; to which waye I would have yow make a gate behynd John Wrights, at the heade of his yaird, to goe in and out that waye, about by the back of the toun when yow would not goe th~~er~~ow the toun. Butt be fure at that gate to make a wall to stopp, that it goe not along within the Bradlaw park by the highway fyde, for there is a plott of the best land, and evenest, and fitteft to mow of all the Braidlaw, that hollowes there be within the Braidlaw very fitt for partitions, to mow, or putt horfes or colts or coves in, or what yow lyke. And then also I would have the Scaatan in so too, for it is but litle corn yow make off it to the commodity of sheep, which would be of the best thyrving of the country, and in a good quantity, taking for your yeeld sheep the two wyndye edges, and all the Wodheid bounds beyond the burne that runnes from the moffe to the broomebank and Gerfetlaw. Sir, I would have yow labour nothing of the Wodheid with plewces, but on this fyde the burn and the scauroods; for the rest is barren ground not worth the ploweing, and excellent for sheepe, or rather yeeld noult about the moffe; for there abouts, and all the moor vp towards the Morhous-law, growes a rott gerfe, which I know full wele, for I have not forgotten a footstep, nor a know, nor a bushe of that bounds, and could wink and goe to it. And when yow gett Thomas away out of the Pallace Hill, yow may make better corne land vpp that way and about the Sandy stanes, joyning them in two litle demaynes; and forget not then to make the marche straight vpp from the Heidlands to Gerfetlaw; and as I lyke wele that yow make all the haughes meadow vnder Hog-heuch moffe, so I would have yow drayne the old meadow vnder Palacehill, and make it better haye, which I could do easly iff I were there. Wherever yow fynd a spring cutt it a litle channell to lett auay the watter, that it turne not to a bogg, and then both the bankes of it and all the ground about will be the better grafs; for many a good peece ground do wee loofe in Scotland for not ordering our springs and not encloseing our grounds, wheroff an inche is worth an yard exposed to all weathers

and common pasture; wherin iff yow will be industrious yow will gett honest, easy, pleasing proffit, and wele content me when I see it.

For your wodd, I know that is so principall a peece of your thrift and care of that kynde that I need not mention it, it being a *sine quo nihil*; and so the vse of your mosse is such that yow can not want it, and so must keep it the better, leaving that old ill custome of letting darges of it for a litle mony or wheat or sheere darges; when yow are so needye that yow can not want that small help, yow had better leaue Butt now that yow have these barronryes about it which I so much defyrd, yow must disporte your busines in another manner, and make Ancrame and that which belonged to it the pryme plac and example to the rest, as it is the cheeff, and yeelds so many different occasions of ornament and polishing, which our people call pollicy; and among the rest, as I told Whitebank your cosen, who is a very politique man, and a great pond maker, yow have at Ancrame toun-foote on the topp of the scoyres, on your right hand as yow goe to Farrington, a great lake very deepe, which yow may eyther putt pearches and other fishes to nourishe in it, or iff they will not live their, drayne it, and make a meadow of it, which yow may easily do by cutting a damm and a sluice towards Ancram, bringing, iff yow will, the watter over the topp of the tower, where as now it serves to no vse but to droun the cattle, not so much as to curle vpon. And what fyne wells yow have on Blakdan fyde, to bring into your houle by pypes thorow the burne, and in by Hobb Houds houle. And whiles I speake of fishe ponds, which is a most necessary thing, especially in a place so farr from the sea, below the brae within the parke between and the Bowebutts, there is wett ground or marshe, which, cast into fyne ponds, and separated, one at the end of another by sluices, and all fedd with the strype that rinns vnder the litle bank, and all issuing into the watter by the wells below where they fetch the well water to the place, will be very convenient and easily donne. I was about it when I was call'd away hither. Roll back the bigg stones that tumbled aff the killing-brae in to it; and if

yow will make a dyke where that dyke was, and so have the haughes to be a pairt of the meddow, as yow intend all the haughes to be, and that is the very best grasse; and the partitions between the ponds will serue as bridges to bring away the hay, and it will be a very fyne prospect when the sheep bank above it is all planted with trees promiscuously of all kynds, especially birks for smell; and before I leave this place, remember that the stones out of the watter be layd on the watter fyde, on the other fyde between the parsones house and the coves of Nether Ancrame, which George Jhonston built before, to save his corne from my horses, but by the foolishnes of the Nether Ancrame men, who hated him, it was all throwne into the watter agayne. Such another yow must make between the Kirk and the coves vpp there, iff yow gett not Mr. David Seymers land to make the park so much bigger beyond the watter. Now to cum back to the orchard or garden, yow will have much adoe to make them very fyne; but the next best is to have aneugh off them, and where fruit trees will grow, plant them, but never plant a fruit tree where it will not grow wele, and where it can not be kept from pulling, by hedges separattin it from the rest of your garden. Never plant it where the north wynd cums to it—it is lost labour—plant other trees there. Yett take away presently these high trees which grow so neere the tower, by the back of the woman house, and there yow must make your garden, with walks from it to the doucat alleye, and so along the bank to your park, which is your cheeff garden and bewty. And as I wrote herrein a litle before, your aples and ploods and sum choyse peares will grow best on the orchard yow are to make in the brae by a triangle vnder the doucat alleye, so agayne wher the old balgreen was, between the dealties in the midst off it, peare trees will grow wele, wheroff seek out the best within Newbattle and Jedburgh, and other places of renowne, and eyther plant or graft the best. Now the orchard dyke must reach vpp from the balgreen to the cornyard dyke, and so down by the end of the old byre, straight down, almost to the crosse, leaving only the hollow waye hard by the crosse (and a

better order, and gouerane it better. For the Skauroods I leave it to your better confideration whither yow will lay it in to the Wodheed or labour it from Ancrame, or lay it in to the Skaw with the rest to be graffe; butt fure the two Wyndy edges will be best for the sheep, thereby to lett them feid till theye coum to the moore, which theye fay is good for them.

I know not what I have forgotten, butt fure I have written aneugh and too much; butt yow may choose whither yow reade it or not or do it; butt iff yow doubt of any pairt, or think another courfe better in any pairt of it or the whole, lett me know, by your anfueare whiche of it yow would do, and which not; and your reafouns, seeing iff ever I cum to fee it, and it be not to my content fo long as I live, better leave it as it is, for the fatisfaction off your loving Father,

S. RO. KARR.

LONDON, 20 December 1632.

There is one especiall thing which I had almost forgotten, that yow make another litle bow to the Kirk bridge from the bridge to the churchyard, and rayfe the fydes of the bridge higher for folkis going over without danger, and pave it to make it even, with stepps at the end, to keep that horsemen make it not a passage, for it was only ordaynd for foote folk.

1633
April 13.

SIR PATRICK HUME¹ to SIR ROBERT KERR.

RYCHT HONORABILL, I receved zour tuo letters, one dated Mart. 11, the uther from Francife Stuart dated April 5, of findrie subjects both tuo: the anfuers quhareof I remitt to meiting: Onlie I find difficultie on ethir fyd quhat to choyse or declyn quhen his Maiestie

¹ Sir Patrick Hume of Polwarth was the eldest son of Sir Patrick, who died in 1609. His mother was Janet, daughter of Sir Thomas Kerr of Ferniehirst, and sister of Robert, Earl of Somerfet. He was created a baronet by Charles the First in 1625, and died in April 1648.

passes by.¹ If I stay at Aitone I am not so weill prepared as I wold or fould be for fuche a tym, and if I be *alibi* they will say I fled the house for the Kings way: My awn tenents heir ar most offendit to be left as maisterles. If I be heir none but frindes will ask for me, quho will be content to faire for a day as I do many quho wold have missing of me if I wer out of the way: God direct us alwayes in his rycht pathes. I wrote to zow before for a smallest volume of Greik New Testament of Henricus Stephanus print, bund in tua partes for my poket, quhilk I expect ze will bring with zour self. I sent zow a copie of the 139 Psalm translated be me in elegaike vers, bot ze sent me not zour censure on it. Zow allege that I laughed at zour remembring me of death; if that letter be zet extant peruse it agane, and ze will find my resolutione most lyk zour awn; but I willed zow not apprehend of zour awn age as past mid vnder even tym with zow, althocht with me *sol declinans crescentes duplicat umbras* much neirer the rest which zow bid me not contemne. Cicero his first buke of Tusculane Questiones is *de contemnenda morte*, and a poete says *Vir felix summum nec metuit diem, nec optat*; but such as ar in Chrifte defyres to be with him, espetiallie having run thair rase with patience, and foughten a gude fyght of fayth, the ancore of quhois hope is fixed in heaven. Thare ar degries and measures of gifts, I grant; some more, some lefs heir: but ther all fall be compleit: *Nunc ex parte, tunc in plenitudine*; and therefore we not onlie have patience, but also do rejoyse in tribulationes, not suffering as ill-doers, but through fayth in a gude conscience, quhilk we studie to keep faif from *nauffrage*, be his grace which is sufficient for us. I wes valetudinarie and ill trubled with cold and cogh all this Marche; but now convalesced (thankes be to God), but not so fitt for actione as neid requyres: And therefore must learne patience vnder croffes, amangs which that is noch least which zow obscurelie wrote in the

¹ Charles the First visited Scotland in 1633, for the first time after his succession to the throne, leaving London on the 17th of May, and making his public entry into Edinburgh on the 15th of June.

end of your letter, and Mr. Francis schew me more planelie: I find not yet that satisfaction of my soul as I crave, and other friends wish, but no friend is so grieved as my self: *Diligentis Deum omnia vertentur in bonum, etiam ipsum peccatum*: his most excuse is lack of maintenance, quhilk he needs not to feare quhen I live, and efter he knowes his portion that he hes rycht vnto, and I hope your self and other friends will do him gude as he carries himself: I vnderstand he hes written to you with Mr. John Wemis, quho will schaw you more then I can now: Thus my best wishes remembred to you and all yours, I rest your vere loving Brother to
S. PAT. HUME.

AITONE, April 13, 1633.

To my much honored brother,
Sir Robert Kerr of Ancrome, knyght.

1633
September 6.

The EARL OF LoTHIAN to the EARL OF ANCRAM.¹

MY LORD, I would not miss this occasion of the Clerk Register, although I have nothing to write concerning any business. I have written you often, but I have not gotten any from you since you went hence. I beseech you hast me answer to that I wrote in my Lord Roxburghe's company, for the terme approaches, for that if that way or some other better, I put it not off (and it is but ane off-putting) my credit will be in danger. I got yesternight a letter from a servant of my Lord Gray of Chillinghame, for the quarters rent of Hedding from May last to Lambmas. He tells me also there is a new condition betwixt you and his Lord for Hedding and Confruth, and something of the plea field, which I conceive not for the rent of fifty

¹ Sir Robert Kerr was created Earl of Ancram, Lord Kerr of Nisbet, Langnewtown, and Dolphinstoun, 24th June 1633.

pounds by year, and that it begun att Lambmas, for there wilbe a quarter's rent dew before yow get any benifite of the lands. Therefore let me know, that I may take course to sett the land, or that yow have apoynted some body els to looke to it.

Yesternight it pleased God my wife was brought to bed of ane other daughter, which on Sunday, God willing, I intend shalbe baptized, and I meane to give her my mother's name.¹ This is all I can write att this tyme : I rest, my Lord, your most lovinge and most obedient Sonne,
LOTHIANE.

NEUBATLE, the 6 September 1633.

To the right honorable
my very good Lord the Erle of Ancrame,
gentleman of his Majestie's bedchamber att Court.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

[1634
January.]

MY LORD, This packett I thought should have come with some of my Lord Treforers² fervands; but when I knew of this gentleman, certainly I chose to send it with him whom againe I intreate your Lordship for that yow wilbe pleased to gett him made Knight. For the matter of your pension:³ this day when I was with my Lord Treforer I have gott nothing but coldly that it shalbe one of the first he shall take order with, but since I have gotten noe precept I looke not for it in hast; therefore yow wilbe pleased to deale earnestly for it, and if it be possible to gett a precept vpon the Chamberlane of Fife, James Kinninmonth, whom I hope foe to deale with-all, giving

¹ Elizabeth Murray. This daughter, Lady Elizabeth Kerr, was afterwards married to John, Lord Borthwick.

² The Earl of Morton.

³ A pension was granted to Sir Robert Kerr "of £2400 Scots, out of the first of His Majesty's customs, rents, and casualties of the Kingdom of Scotland," December 24, 1616. (*Regist. Scr. Sigill.*, lib. 85, fol. 277.)

him parte of it, that I thinke to gett payment feasonably; otherways I hope not for it to doe any terme buffines, and I never had foe mutch to doe. Housoever lett me knowe what I may expect as foone as may be, that I may doe the next best. But I am afeard without this help, and by my Lord Sommerfett for his leave it wilbe vnpossible to keape my credite att this tyme.

I fend vp also att this tyme the contract¹ betwixt his Majestie and me, docked by the Advocatte,² which I fynde my Lord Treforer thinkes the Kyng will make difficultie to signe. But I thinke I make the farre worfe bargaine that quits 800 lib Scotts by yeare for the naked superioritie of Neubattle, and pay besides blanch duties which I can see noe reasone for; yow wil be pleased to give it my Lord Treforer to looke on, before yow speake the Kyng in't, and desire my Lord to present it. But if he thinke the Advocatte hath not conceived it anough for the Kyng's advantage, rather lett it never be donne then it should doe that good kynd friend of yours any prejudice: nor doe I know nether why it should, since he doth but drawe it vp by my information; and if my Lord Treforer thinks his Majestie ought not to give it in the termes conceived, it is his parte to looke to that. This I write becaufe sometimes my Lord and the Advocatt are not in good termes, and I had rather want that and my contentment by it, then that the Advocatt should gett the least checke for me; and this is all I can write in any purpose att this tyme. I rest, my lord, your most loving and most obedient Sonne, LOTHIAN.

[1634
February.]

The EARL OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, Yow wilbe pleased to excuse this shorte ill-favored paper; but I fend this to tell your Lordship that the contract I wrote in my greate letter should come with this bearer; now my Lord

¹ A charter was granted to the Earl of Lothian, of the Lands, Barony, and Earldom of Lothian, March 1, 1634. (*Regist. Mag. Sigill.*, lib. 54, no. 332.)

² Sir Thomas Hope of Craighall.

Treforer hath instantly sent for it, from whom I come instantly, and he is better pleased with it then he was in the morning, and he hath given me more satisfaction concerning your pension, which I pray your Lordship leave not off for all that, to sollicit and make sure. Inquire at my Lord for the contract whose shew it you, and pacify, if it be possible, Doctor Cals.—I rest in haste, your most loving and most obedient Sonne,

LOTHIAN.

To the right honorable
my very good Lord the Erle of Ancrame,
Gentleman of his Majesty's bedchamber.

THE EARL OF LOTHIAN TO THE EARL OF ANCARAM.

1634
February 26.

MY LORD, On Fryday last the 21, I received your letters by Anthony Allexander,¹ and the writts wherein nothing was omitted in the formalitie, and I gave them instantly into the Exchequer and delivered your letters; but that day nothing was donne in them, because it is an order that nothing pass, till first a whole weake together the contents of all signatures be written on a table hings in the Exchequer Houss, that nothing pass to the prejudice of any subject. Soe I expect next Saterdag they will pass, and I am heare for it, and to sollicit that the deutie for the houss and for the patronages be as easie as may be; for the other duties they sett them selves.

Now, my Lord, I cannot forgett to tell you how extraordinarie an act I thinke this you have donne to me is; nor do I thinke there are manie examples of it, to give soe much away in your owne time without consideration of your other children.² Believe me, if you had

¹ The second son of Sir William Alexander, Earl of Stirling. He was Master of Works in Scotland. He died at London in 1637.

² On the marriage of Sir William Kerr with the Lady Anne Kerr, Countess of Lothian, Sir Robert Kerr "redeamed the loss of Newbottle out of their hands who had comprised the same for the late Erle's debts, and by adding his own estate to it, and other competent means . . . made it capable of the former dignitie."—(*Letter from the King to the Privy Council*, October 28, 1631.)

never donne any thing for me before (as yow have always donne extraordinarily), yet this is more then I ever could have deserved, but I can doe noe more but acknowledge it deuitfully and thankfully, and that I doe in ane extraordinarie measure.

There is nothing I can answere further to your letter, but for Marke Cafs,¹ whoe faves all these procuraries were very necesarie. Nether will they be any greatt charge, and that these things yow wrote for are gone from hence long since (nor could I gett them sooner). God save the people in the shipp from the danger of the extraordinarie wynds we have had, and continues still. Your second letter brought only a letter of my Lord Bothwells, but the note Mr. William Kerr gave him would have beane more vfeull to me. But I shall desire him to give it me againe, and this purpose and Jhon Kerr's wife whoe went instantly from me, makes me that againe I must desire that protectione for one yeare more, nether shall I desire it any more. I fend heare inclosed the note of these things George Fairley furnesht for me, which yow bid me fend to yow when yow went from hence. I had sent it already, and a particular note of the charge I was att in my house when the King was heare,² which yow desired; also I had sent a copie drawne aff the principall note with the boy was lost. Now I find it and the summe in generall of the other which I shall fend particularly [along with] the booke of my household weaklie expenses. This greate packet is from James Douglas his wife, and she forces me to fend to yow continually. I have not been able to doe her any good heare, and therefore she sends to yow to trie what can be done if she gett a precept. Now my Lord Traquair is with yow, put him to it for your pension. I gett

¹ Mark Cafs of Cockpen seems to have acted as factor or manager for the Earl of Lothian at Newbattle. There are many of his letters preserved, but all upon matters of business, and containing nothing of general interest.

² Charles the First was entertained at Dalkeith by the Earl of Morton, previous to his entering the Scottish capital in June 1633, and had probably visited Newbattle at that time.

1634.]

Earls of Ancram and Lothian.

83

only good words. This is all I can write at this tyme.—I rest, my Lord, your most lovinge and most obedient Sonne,

EDINBURGH, the 26 February 1634.

LOTHIANE.

To the right honorable

my very good Lord the Erle of Ancrame,
Gentleman of his Majesties bedchamber att Court.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

1634
March 7.

MY LORD, I have lately written by my vncle, Captain Murray, of the receipt of your letters with the signatures;¹ but then I could only write that they were come. Now they are pafs'd in Exchequer with mutch favor from all the Lords, and the composition gratis; they are now passing the Sealles, which wilbe falter. The few deuty of the houffe of Newbatle is ten merks, the patronage as mutch, and that of Coxpen twentie; and in this busines I can not forget to tell yow how kynd I found my Lord Hadinton, which he exprested also to myself when I delivered your letter, and to Marke Cafs, when he went to give him ane account why Ancrame Spitle and the Woodheade were contained in the signature, and I thinke if Ancrame had beene also, he would have consented. Yesternight all differences in the securitie for Crafoordmoore were reconciled, and I am going instantly to subscribe and to receave securitie for the money. It will come to yow with the first occasion to subscribe also, and I have promised the Marquifs that yow will assist to gett his infestment passed in the manner he desires, which I know will not be granted (for he desires that it may be still held blench, which is against the Act of Parliament); but if yow desire it and assist my Lord Sterling,² in whom

¹ On the 1st of March 1634, William, Earl of Lothian, received a charter of the Lands, Barony, and Earldom of Lothian, under the Great Seal.—(*Reg. Mag. Sig.*, lib. 54, No. 332).

² Sir William Alexander of Menstrie was introduced to the Court of James VI. by Prince Henry, and received the office of Master of Requests. He was appointed

he relies, it will free me. This is all this hastie occasion will give leave to write, and I have noe other purpofe that I remember.—I rest, my Lord, your most lovinge and most obedient Sonne,

LOTHIANE,

EDINBURGH, the 7 March 1634.

When I was ready to close this letter, James Douglaſs his wife came to me and ſayd ſhe had beane ſpeaking my Lord Morton for that is dew to her, whoe told her he was very wiling to pay if he might have ane warrand, and this ſhe thinks is eaſy, and would needs have me write it to yow. With my vnclē yow will receive her letters, and what ſhe deſires more particularly; yet, before yow ſpeake to the King in't, becauſe my Lord Mortone is to come vp ſhortly, I thinke it would not be amiſs to know of him ſelf if he have ſayd ſo much.

To the right honorable
my very good Lord the Erle of Ancrame,
Gentleman of his Maſteſtie's bedchamber at Court.

1634
March 7.

THE EARL OF LOTHIAN TO THE EARL OF ANCRAM.

MY LORD, I wrote to yow this morning by Mr. Robert Bruce that I was going to ſubſcribe the contract with the Marquiſs Douglaſs.¹ Now I have donne it, and by the ſame occaſion I ſend it vpp to be ſubſcribed by yow. Ther is ane other alſo which ſhall come vpp with ſome other occaſion, becauſe we will not venter them bothe for

Secretary of State in 1626; admitted as an Extraordinary Lord of Seſſion July 28, 1631; created Viſcount of Stirling and Lord Alexander of Tullibody, September 4, 1630; and Earl of Stirling and Viſcount of Canada, June 14, 1633.

¹ Sir William Douglas, ſeventeenth Earl of Angus, was created Marquiſs of Douglas, June 1633.

losing att one time. Yow wilbe pleas'd to send it backe with this fame, or some other fure occasion, and as foone as can be the better, because of the infestments the Marquifs is to pafs. I have receaved band of 32,000 and five hundreth merkes to be payed att Whitfunday. This is all I can write att this tyme.—I rest, my Lord, your most loving and most obedient Sonne,

LOTHIANE.

EDINBURGH, the 7 March 1634.

It must be subscribed before three or four wittneffes, and the date and wittneffes names insert with your owne hand.

To the right honorable

my very good Lord the Erle of Ancrame,
Gentleman of his Majestie's bedchamber att Court.

LADY BALMERINOCHE to the EARL OF ANCRAM.

[1635 March.]

IT ver to tedius, my noble Lord and Cousin, to make a reherfel of all the pasages of thes befenes quilk hes bein caryt efter sik a form as I think neuer the lyk hes bien put in practis to the view of all the warld, for there violens that gouerns all, volle doe quhat they list, not that I am dutfull of his Majesty's clemenfy, or that he vald for a varld doe anything in prejudis of his lyf or estet; bot confederin the malis of our enemis, I vald vis that our frinds and velvillers fuld be the mair vatchfoll. It mey be his Majesty hes not bein truly enformet of my husbend's ofer to hef submeted hes lyf to his Majesty lang or it came thes far, and vith a confessione of a greter fate then the law hes mede hem gilte of, as they can tell that had the befenes in trust, if they ples.¹ I ves clos prifoner vith my husbend

¹ Lord Balmerinoch, with other noblemen, opposed in Parliament, in 1633, an act establishing the royal prerogative of imposing apparel on churchmen. They thereby much incensed the King, and a petition was prepared, to explain their opposition and obtain if possible a suspension in the operation of the articles from which they dissented. It was

quhen his brother sent vp ther Cousin Michel to your Lordship. It hes plesit the Cunsell to gif me sum liberty, and vpon the first occasion I vret thir lyns. I neid not relet my present estet; I knaw ye are very sensible of it, the story of my lyf hes bien very tragecall, bot I take it fray the hand of my lowing Father, quhas mercis endur for euer.

I hef draun vp thes petitione for the Quin's Majesty; I durst not presume to suplicat the King's Majesty, bicas I thocht in myself thes vay vald hef most fors. Gif ye think it fitt, make the adres in the best vay ye pleis. Thes that presents it vald lat her Ma. knaw that I am a borne Frenshoman,¹ that it may moue her to more pity. Ther is no flesh knows of my senden vp this petition, and therfor kipe it clos till it get a gude anser, for beside the honor of her Ma. fauor, I had rather be oblist to her Majesty then to my persecuters, quha I may say hes persecut me vithout a cause. Lat this letre be shane to my Lo. my brother,² for I hef no lafer to vret to hem, bicas of my Lo. Alexandrs hefty perten, quilk I knew not befor this morning, and I had no other think to vret bot doleances and griefs. So, vith my ernes vishes for all hapenes to yow both, espeken a gud succes from God Almichty, I shall euer remene your Lo. lowing Cousine to my death,

ANNA KER.

[March 1635.]

not, however, presented, but Lord Balmerinoch retained a copy, making some alterations on it with his own hand. This being communicated by the Archbishop of St. Andrews to the King, he was cited to appear on the 11th June 1634, and having been examined, was committed to Edinburgh Castle. Here he remained till his trial on the 3d December 1634, when, by a majority of eight to seven, he was convicted and condemned to death. His execution was, however, suspended, "until his Majesty's pleasure might be shown." Great efforts were made by his friends for his pardon, but it was not till November 1635 that he was set at liberty.

¹ Sir Thomas Ker of Ferniehirst, her father, was, for his devotion to the cause of Queen Mary, and the efforts he made in her behalf "exiled and forfeited" in 1571. He was recalled from exile in 1579, and restored to his estates in 1581.

² Robert Kerr, Earl of Somersford.

PETITION from LADY BALMERINOCHE
to HENRIETTA MARIA, QUEEN OF CHARLES I.,
in behalf of her HUSBAND.

[1635]
March.

MADAME, Il plaira à vostre Ma^{te} de pardonner la presumptione de vostre treshumble Suppliante, laquelle n'a autre ambition que d'implorer vostre gracieux compassion au regard de l'estat présent de mi Lord Balmerino, mon mari, qui par vn grand malheur depuis quelqez temps a esté rendu obnoxieux au déplaisir de sa Ma^{te} Sacrée, et apres vne longue captiuité, maintenant a esté fait coupable d'une crime capitale, et ainſy rendu incapable en son propre nom d'implorer la misericorde de sa Ma^{te} Royale. Ce n'est point mon intension d'extenuer sa faute, ny d'aggrauer ses souffrances passées; ma seule et treshumble supplication estant qu'il plairoit a vostre Ma^{te} de sa grace accoustumée de lui procurer pardon d'un Prince si clement et gracieux, et vne remission royale pour cest offence qui à rendu sa vie subiecte a la loy. Je vous assure, Madame, que ce n'est pas aucune défiance de la clémence de sa Ma^{te} Sacrée que me fait implorer la médiatione de vostre Ma^{te} pour sa misericorde, mais pluſtot ma confiance treshumble en vostre affection si tendre, et le sentiment des souffrances de vostre seruante tant affligée en vn tel cas que je ne pourroy exprimer à vostre Ma^{te} autrement que par des larmes et tristesse extrême, et par mes treshumbles prières pour l'accroissement a jamais de tout honneur et bonheur à Son Ma^{te} Royale, à vostre persone sacrée, et à vostre posterité heureuse, selon le tres affectionné deuoir et vœux de celle qui est à v^{re} Ma^{te} la treshumble et plus affligée suppliante et seruante,

ANNE CARRE.

[1635]

March 17.

LADY BALMERINNOCH to the EARL OF ANCRAM.

MY LORD AND LOWING COUSIN, Heueng the gud occasion of this berer heir, quher necesser affairs hes brocht me, I resoluet to vret agen to your Lo. to onderstand quhat ve mey expek of my hisband's business at Courte; for I long very much to heir fray your Lo. of that propos; and vald ernesly intret your Lo. to be frie with me, and lat me knaw quhat mey be expek, and quhat your Lo. and other frinds vald aduys vs to doe for ourselfs; bicas till the King's anser be had to the suplication ve canot resolue vpon any course, and gif ther be nothing bot delays, I volle request your Lo. to dele sekfully with my brother to tak present order with Will. Dek's¹ money, that it be no more hafard and trouble to his frinds with los to himself, and gif my hisbend gett not liberty to attend his aune affairs, I pray your Lo. at least to get a letre fray the King to the Session agen the begeneng of Juine conmanden them to contino any proces agens him duren his confyne, that howsoeuer he soufre from the King, he mey not be mede a prey to others. As I hes euer fund your Lo. fauor, so I wolle stil rest vpon it, and remene, your Lo. louing Coufine to my deth,

ANNA KER.

EDR. xvij Mars.

To my veray honorable gud Lord the Erle of Ancrame, etc.

¹ The person here mentioned was William Dick, a merchant burgefs of Edinburgh, who, from his own wealth and his influence with others, obtained the advance of large sums of money on behalf of the public service. He was elected Lord Provost in 1638 and 1639; and was knighted by Charles the First about 1642. The Parliament, in 1646, acknowledged him as a public creditor for a clear balance of £34,000 sterling, a large sum in those days, of which it appears he only received, with some difficulty, £1000. His own creditors, in London, afterwards cast him into prison, where he died at Westminster, in great want, December 19, 1655, aged 75. His family, half-a-century later, continued to urge his claims.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

1636
March 16.

MY LORD, I have receaved letters by Neutoune from yow, but have never till now had occasion or tyme to write in anfwere of them, although it be 8 days since my Lady Lothiane went from hence towards London, and your servand Allexander Cockburne in her companie ; but shee gave me foe shorte warning, that I could not write by her, because shee came to Neubatle in the morning when shee was on her way, and stayed not ane quarter of ane houer ; and Allexander, except that I knew since he came doune laft that he was to goe vp againe, never told me, nor was he att Neubatle of 8 days before he went away, nether then did I see him, or tooke he his leave of me, or spoke to me ; foe till now by Robert Kerr of Plough-of-land have I not had any occasion, nether will I write att that length that I will shortlie by Marke Cafs, whoe comes away within ten days ; then yow shall heare in everything att length, and have particular account of all yow desire. Lett this ferve then till that tyme, and that yow may knowe my wife was brought to bed of a sonne vpon the 8 of this month, and yesterday he gott your name.¹ He is lively enough yett, and shee is yett very weake. If the letter I receaved laft had beene by me, I would have anfweread something to it ; but I was called in hastilie to-day to declare something was arreifted in my hands, and is perfewed aganis me for Mr. Niccoll Bannatine's sonne, to whom I am tutor testamentar. By the next occasion I shall make amends for the litle purpose of this letter.—I rest, my Lord, your most lovinge and most obedient Sonne,

LOTHIANE.

EDINBURGH, 16 March 1636.

To my very good Lord the Erle of Ancrame, etc.

¹ This was his eldest son Robert, who succeeded as fourth Earl of Lothian, and upon his uncle's death as third Earl of Ancram. He was created Marquis of Lothian, Viscount of Briene, etc., June 23, 1701.

1637
April 5.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, I wrote already by Jhon Murray, and that was very shorte. This will come as foone, for then I was not resolved in all the poynts of this. Now first, your Lordship shall knowe that feing I could gett noe considerable satisfaction from my Lord Binning¹ for my clame to the Abacy of Jedburgh (wherin I can not nether blame him, for I found him in it, as he is in every thing, courteouse and discret; but his father would not give him leave to doe that, that I am perswaded otherways he would have donne, and foe he ingenuously told me himself, and I beleave it). Therfore I offerd to buy the whole; for although I had once good offers made by Lord Hadinton, yett he went backe of that againe, and would give me noe reasone for it, but made me new offers againe, which were, your superioritie of the toun of Ancrame (for the house and rest holds alreadie of the Kyng), and a right of that land off Belcis which I bought (for he sayd the right was not good), and the Plough-of-land of Nisbett's. These two last, and the Gathouffcott which my vnle hes held of himself; withall he would for this last have had from Sir Thomas² 1200 merks of composition. This was foe farre from his first offer, that I would none of it. Soe all treating was given vp. But next day he sent one of his fervands to me to tell me, since I refused his offers, that he was resolved to make his best of these things he had offered me. Therefore he advertised me that he would sell the Gathouffcott, and vnles Sir Thomas would give him 6000 merks for it, he would lett ane other have itt; and to conclude, he put Sir Thomas foe to it, that he was forced to agree with him for it, which he did for 5500 merks. When I saw therfore that he was still in his conditions to me worfs and worfs, I resolved to buy all; and foe, after many

¹ The eldest son of the Earl of Haddington.

² Sir Thomas Kerr of Kedden, brother of the Earl of Ancram, was knighted at his creation in 1633.—(*Balfour's Annals*, vol. iv. p. 366.)

meattings, he gave me this rentall which I fend yow, for the which I give him 36,000 merks. But to fatisfie his father the band muft containe 42,000 merks, becaufe it anfwears to this rentall; but he privatly gives me affurance for the 6000 merks in difference. Thus have I beane forced to be a purchafer whoe fhould rather fell; but I hope to make neare the annuall of my money in this bargaine, befide the fuperiorities, which are manye and confidderable, which yow fhall knowe next occaffion, only thefe about Ancrame I will fett down, which are the whole barrouny of Belcis and Reperlaw and the Firth, befides all the burgeffes in Jedburgh almoft hold ether more or lefs of it, and the barrouny of Vlfton and Windinlaw, and abott of Roule, and many of my Lord Sommerfett's lands, and fome gentlemen, Clyddale alfo. This is in generall. The particulars fhall come in every poynt, and all the waffall names and holdings, when the bargaine is ended, which is now in writting, only this mutch att this tyme. I have noe difreputation in this baigaine, and I have a greate increafe of command by it in Tividale, and I hope it fhallbe proffitable alfo. Therefore confidder the rentall, and lett me knowe what your Lordship thinks of it. The next, howe to pay for it, and to take courfs at this terme with other fumms alfo, which I muft doe, nor knowe I yett of any thing to doe it withall, but of 10,000 merks from my Lord Roxburgh wherof yett nether am I certaine, becaufe I have not yett heard from yow fince I wrote in that particular, and fent vp writts by my Lord Lorne for yow to fubfcribe. I pray your Lordship haft then doune and affift me att this tyme, for I never had foe mutch to doe; for befide this to my Lord Binning, I muft pay, as I wrote to yow alreadie, the 5000 merks yow were owing for Sir George Douglaſs to the Colledge of Glaſgow (wherof remmember his fonne James); next 9000 merks to Captain Paplay's heirs, for that and more it is nowe with the annual rents; and 1000 merks to Mr. David Simmer; 2000 merks to Mr. John Galway; and 2000 merks to one Ofwald. All thefe have beane thefe 20 years dewe, and now they will want them noe longer, foe this wilbe 19 or 20,000 merks by the 36,000

merks to my Lord Binning, and howe will I be able to doe this? Therefore I beseech your Lordship thinke seriously on it, and gett the rest of your pension, which wilbe yet 11,000 merks. This, and 10,000 merks from my Lord Roxburgh will make 21,000 merks, and it may be 6 or 7000 merks be gotten for your wood if yow be content to sell it, and which I would faine save. Soe this altogether may make 28,000 merks, foe there wilbe yett behynde as mutch more, which, if yow could perswade my Lord Sommerfett to advance vpon Dophiston till ane account were made with him for his teands, which will come to a good summe to buy, and for arrearages, and till the price of that land were made by any he will trust heare, and which is forfitt for him. If this take not, or that your Lordship lett me see some other help, I wilbe forced to quite all, and cast doune that I have beane with mutch difficultie building, and that foe convenient, I meane for your estate in Tivdale, which is worth the having, and now mutch the nobler of this addition of Jedburgh, which superiorities come not within the compas of the Revocation; and this I againe desire your Lordship to thinke on, and lett me heare from yow as soone as may be, for the terme aproaches, and if it take me vnprepared, it will ruine and dishonor me. The next busines is concerning my superiorities of Neubattle, wherof in my Lord Treforers¹ companie there comes ane contract to gett the Kyng's hand to, whereby yow will see how I value them by the rate I purchase them att; only I desire your Lordship worke your Doctor Cals to make noe buffines, but to consent; for he raills on his brother, and he conjures me heare for feare of his brother, to whom he is obnoxious for the money he hath on Coxpen that I would leave out his nephew superioritie (which I will nott); therefore I see, because Marke is vsfull to me in my affairs, would have things with there consent, and I shall doe that to them in there teand shalbe mutch more to there advantadge then the difference of the holding. But if nothing will

¹ The Earl of Traquair was appointed Lord Treasurer in 1635.

doe I must beare the seade rather then goe from that purpose; and
 foe much for this: the conclusion this other litle paper will containe,
 which is, that yow gett assurance of my Lord Treforer for the elleaven
 thousand merks is restinge of your penssion, vnles by some other
 tickett I write att this time that I have gotten assurance for it. If
 noe other advertisment come then this, make accompt that I leave it
 to your Lordship to folicite. I shall doe nowe before he come
 away to morrowe, what I can, and I am sure I take all the ways
 can be, to be in his favor. For the last letter I receaved from you, it
 had noe purpose to answeare in't, but concerning your coales, which
 are ether att yow erre nowe, or cast away. For lentten provifions I
 sent none, because I hearde not yow desired any till this last letter,
 which came too late. This is all I can thinke on att this tyme.—I
 rest, my Lord, your most lovinge and most obedient Sonne,

LOTHIAN.

EDINBURGH, the 5 of Aprile 1637.

Your Lordship wilbe pleas'd to make give this watch to mend,
 which stands sometymes by I knowe not whatt knock.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

1637
 October 29.

MY LORD, I have, since I wrote any, receaved three letters from
 your Lordship of severall dates (the 24 September, and the 3 and 8
 October), but almost all together. Nowe I have gotten this occasion,
 and because I gett particular bearers but seldome, yow wilbe pleased
 from henceforth to make inquire att the ordinarie letter posts, for by
 them I will sometymes write. The first in parte is concerning the
 change of my brother's stile, and in that matter I wrote in my last
 all I can say. The rest of it is concerning Sir Thomas (whom yow
 write yow have sent for), that I should assist him to dispose of his
 children, which I shall doe by the best advice I can give him when he
 speakes to me in that purpose; for he hath beane heare lately, and

when I was in Tivdale he told me only, his daughter would marrie Lochtour, and that he had noe mynd to it; and this was all he sayd to me after he had delayed to speake with me till I came to Tivdale, where he might doe att more leafure then he could in Neubattle, because he was in haft. The second letter is howe well yow are pleaffd that I vfed the gentleman [who] came from my Lord Bedford foe well, which I did with mutch respect to those sent him; besides the gentleman deserved it by his discretion, and doth ackknowledge it by severall letters to me; and my Lord Ruffell¹ hath written a very kynd letter of thanks to me, and I have att this tyme written againe to him, which your Lordship wilbe pleased to make fend to himself or to Mr. Doctor Dorislaw to give him, whoe sent me his. Yow wilbe pleased also to tell my Lord Ruffell better then I can write, that anything I did for him came hither, deserved not he should have taken foe mutch notice of it.

The end of this letter bids me carie my self warily in these bryles,² which I shall doe by all the little judgment I have, but they increafe wonderfully, as yow have hearde long err now of the passages of the last Counsell day. But still it was only the com-

¹ William, Lord Ruffell, was eldest son of Francis, fourth Earl of Bedford, and married, in the summer of 1637, Anne Carre, only daughter and heirefs of Sir Robert Carre, Earl of Somerset.

² In a former letter (not preserved) the Earl of Lothian had apparently noticed the uproar in the Church of St. Giles, Edinburgh, upon the first reading of the English Prayer Book by the Dean, assisted by Lindefay, Bishop of Brechin, September 17, 1637. Two days later a supplication against its imposition, signed by many of the nobility (among whom was the Earl of Lothian), burgesses, and ministers, was presented to the Council, but answer was deferred till the 17th October, that the King's mind might be known. On that day great multitudes came to Edinburgh from all quarters of the kingdom to hear his Majesty's answer. This being conveyed in the form of a proclamation at the cross, commanding the removal of the Council and Session to Linlithgow, and "that everie one that hath come to attend this businesse repaire to their owne dwellings under the paine of Rebellion, and putting of them to the Horne," occasioned, on the following day, the riot and attack on the Bishop of Galloway, described by Lord Lothian.—(See the *Earl of Rothes' Relation*, 1637-1638; Bannatyne Club, 1830, 4to.)

mon forte of the toune, and it begun where the Toune Counsell were fitting. There a multitude of tradefmen and fervands and weomen gather'd about them, making demands which they were forced to agree to, and to give them ane act, for which they fought, which was to have the ministers that are fospended againe, and there reader and the publicke prayers. When they were in the streates before the house making these demands, vnhapily the Bishop of Galoway¹ came by, whoe is very vngratious to the poeple, whoe began first to raile att him, then curse. Att last some began to lay hands on him, which would have beane to his greate danger, if some gentlemen and Francis Stewarte had not reskeu'd him, and put him in to the Counsell Houfs, where he was befeedged a good while, till the Treforer came vp, whoe also went to bring the Proveft² from the place where he was to the Counsell House, where the Bishop was retyred: there they were all forced to stay a greate while, thinking the people would goe awaye. At the last, when they sawe the people stayd still, they sent for some noblemen, pretending to speake with them in some other matter, but in effect it was to have there companie to goe doune the streate with the Proviest and Bishop, because they thought the people would respect some of them. I was one my Lord Treforer sent for as one of his friends, and I was in a house where I had beane all that day, and not once sturd abroad. But the messenger mistooke, and caled for Loudoun; yet when they were

¹ Thomas Sydserf, Bishop of Brechin, was transferred to the see of Galloway in 1634. He was deposed by the Glasgow Assembly in 1638, but re-admitted as Bishop of Orkney after the Restoration.

² Sir John Hay of Lands, who was a zealous supporter of the measures of Charles I. for the use of the Service Book and other innovations, had this year been chosen, by the King's injunctions, Lord Provost of Edinburgh. He had previously held the office of Town-Clerk; and was appointed Clerk-Register in 1632, and in the following year a Lord of Session, by the title of Barro. Father Hay styles him a man of rare endowments; while Sir James Balfour mentions him as "one altogether corrupt, full of wickedness and villany, and a sworne enemy to the peace of his country."—(*Annals*, vol. ii. p. 193.)

coming out, and that the poeple began to run after them, I was the first gott down the stairs, and was with them erre they went twentie paces (and a good manie followed as they could come to the doore), and put my self by my Lord Treforer att the Bishop's backe, foe that from the Tolbooth to the Treforer's lodging, the Bishop was almost always in myne armes. The Treforer is often well accompanied, but he never had foe many, for there were many noblemen and gentlemen in toun, whoe all came running to there friends, and to hinder any violence against the Proveft or Bishop, and multitudes of people crouded after : some to curse and threaten, and some to gaze and followe ; and yett I thinke they were more afrayd then they had cause, although the people from the staires and in the streets cryed and cursed after them. Housoever the noblemen and gentlemen were to save them from hurt and to stay the tumult, and not to sturr them vp, as may be it wilbe layd to there charge. But it wilbe a greate vntreuth, for they were foe farre from consenting, that I thinke if they had not come doune with greate difficultie had they gotten in safelie to the Treforer's house. There a good number of noblemen stayed, because we expected Counsell there, which could not be kept in the Counsell House. But there wanted a number, foe there was necessitie to goe to the Abay. Soe my Lord Treforer went out, and the Proveft by him : the Bishop followed him, and at the comming out of gate my Lord Rothes put him self on one hand of him, and I on the other, and we told him he should be our charge. As foone as the poeple sawe them, they began to curse and rayll, and the Proveft would have beane in againe, but he was desired to goe forward, telling him he would be in noe danger. Soe forward he went. My Lord Rothes and I kept the Bishop betwixt vs from the Treforer's house in Niddrie Wynd, till we put him in before vs into the Kings house, and this is all I sawe which I have written to your Lordship particularly.

If this bufines had not fallen out on a Counsell day, I had may be beane att home as I was when the first buffines was, but I am

always in toune att Counsells in the vacation. It may be I consent not to these things are pressing on vs, they are foe mutch against formes and order and our lawes, but I am not, nor shall not be, mutinous : nor was there in all this buffines any tounfman of fashion in the streets but to apease the people, whoe were most of the trades, and angerd may be with the Proclamation the night before, that all men should goe aff the toune, and that the Sessio and Counsell should remove to Linlithgow. God Almighty move the King's harte to gentlenes, and that he vrge not on this church that, that there is futch a generall averfion to, for this second day there were at least 200 supplications against this booke from presbiteries and parishes and shires, and as many the day before, and every day there wilbe more, till the whole kyngdome have petitioned.

Your third letter is most in anfwere of that I wrote formerly concerning the land of Fairniherst, foe I have nothing to anfwere to it in that parte. For the end concerning Sir Thomas, that I should disburden him of some of his children, since I have none of myne oun by me, I will not willingly take the charge of his that are foe yong, for the most parte that they neade nurffes, and his daughters that are weomen had rather they tooke springs on there oun fiddles with others than with me, for that I am affeard they will doe, and have feane nothing less; but where ever he put them I will give them all the assistance I can spare, which, till God take his hand aff your people in Tividale, I am not able to doe, and yett they are not suffered to come abroad to faire nor merkett; foe that to this instant I have not of the last croppe gotten one pennie out of Tividale, nor in Lothian of every 100 merks of rent, twentie; foe that without the 800 lb. sterling I receaved from your Lordship at Whitfonday I had broke, I thinke, nor have I hope to gett any thing nowe at Martimas, which wilbe the begining of the second cropp, foe that I fweare I knowe not to what hand turne to. The earth hath beane iron in this land (espetially in Lothian), and the heavens brafs this sommer, till nowe in the harveft

there hath beane futch inundations and floodes and wyndes, as noe man livinge remmembers the like. This hath shaken and rotten and caried away the litle corne came vp, that certainly they that are not blynd may see a judgment come on this land. Besides there is noe kynd of coyne in't, that men that are in debt can not gett there ounge to give there creditors, and the few that have money keepe it for themfelwes for the greate advantadge in this penurie and nescessitie. Soe that for me, if your Lordship perfwade not my Lord Tresorer to pay the arrearages of your pension, I thinke I shalbe forced this terme to runn away and lett the creditors catch of the estate that catch may, for I can not doe impossibilities, nor knowe I howe to satisfie my Lord Hadinton. I was confident to have gotten him a good parte of his money att this tyme, but nowe I see it impossible; and for my Lady Lothian, shee hath these two late years a good bairgaine of me; for of both I have not yett gott that would pay her one yeare. For George Kerr, whom yow say I doe not advertise yow whither he be alive or deade, my not speaking of him implied he was safe, and soe he was, and in good health within these three days, although many are deade in Ancrame, and all Tividale is well, both there and in Nether Nisbett; but the last death was in Ancrame.

I have not yett gotten leave to keepe any courts in Jedburgh, nor to take vp any rents, because of the sickness, soe I must give my Lord Hadinton rent for his money before I receave any thing. Your coales shall come vp shortly nowe when skippers will venter to goe out of harbours, where they have beane kept with vncouth tempests, and Harry Kerr found his parte of them att Aberdeene, where he was readie imbarcked to goe with Sergeant Major Kerr for Germanie, and 400 foldiers; but the shipp was in the harbour cast away, and abowe 50 men droun'd. The rest by Gods mercie escaped, and Harry was one of them, whoe is nowe come backe to Edinburgh, where they are striving to make vpp there companies againe, for these were faved ranne all away, soe that companies that were compleate have not 20 men apeace. This is all I can write att this tyme (and it is att 12 in

the clocke att night, to meate the bearer att Saltpreston to morrow. This makes me scribble the worfe, although my hand be always very ill). After I have desired to knowe what shalbe donne with the meare yow sent doune to Sir Thomas, that is in Ancrame parke, for he fayer the is not his, and I never heard from your Lordship what should be donne with her. — I rest, my Lord, your most lovinge and most obedient Sonne,

LOTHIAN.

NEUBATTLE, the 29 October 1637.

ROBERT, EARL OF ROXBURGHE,¹ to the EARL OF ANCRAM.

1638
July 10.

BROTHER, I did faithfullie disschaerg the trust yee laid upon me in the delyuerie of your letter to your sone, and tould his las yee did giue me warrent: Trewlie I may say, and I knaw me Lord Marquis² will confirm it, your sone hes shewin him self most inclynabill to ane calme and disschrit way of proceeding in the affairs that trubiles us heir. I nide not inlarge; this belue me, his cariage hes bein futch as could be wishit. I will not trubill yow with informatione of the passages of busenefs heir. I could wish thay war better, bot if all war of your soneis temper, I am affurit thay would be so. Our hapenes under God most cum from where yee are: the Lord direct

¹ Sir Robert Ker of Cessford was elevated to the peerage of Scotland in 1600 as Lord Roxburgh, and created Baron Ker of Cessford and Cavertoun, and Earl of Roxburgh, September 18, 1616.

² James, Marquis of Hamilton, was sent down to Scotland in June 1638, by King Charles, "with the character of High Commissioner for establishing the peace of the country, and the good of the church." In November following he presided at the meeting of the General Assembly, held in Glasgow, but on their proceeding against the Bishops, whom they had summoned to appear before them, he, by command of the King, dissolved the Assembly, which nevertheless continued its sittings. (*Burnet's Memoirs of the Duke of Hamilton*, pp. 42, 88-107.)

our Maister aryght, that he may resolute upon the best for him self, and that can not bot bring happenes to all who trewlie loueis him. Godis grace be with yow, so I rest, your Lordships faithfullie affurrit to farue yow,

ROXBURGHE.

CANNAGATE, the tent of Julie 1638.

To the right honorable the Erle of Ancrum,
Gentilman of his Majesties bedchamber.

1639
June 8.

GILBERT NORTH to the EARL OF LOTHIAN.

MY LORD, I had wayted my self vpon your Lordship tomorrow had not ben Sondaye, to have given you thanks for your noble favor in returning my horses, which I shall be ready to requite when I maye doe you service. In the meane tyme I have sent this my servant to exprefs my obligation to your Lordship, and withall to desire yow that there maye be noe credit given to foe many base lyes with which I am traduced by that ill natured fellow, whom I protest to God I have vsed better then ever I did any servant in that Place. I having seldom wanted one of that nation about me, whoe have ever before served me truly and faythfully. For other thing which he has taken awaye of myne, being of noe greate valewe, I leave it to your Lordship's consideration how farr you think him fitt to be punished. Assuring you agayne that whensoever you shall think fitt to command me in what I maye justly serve you, you shall fynde me, my Lord, your Lordship's humble and affectionat servant,

GILB. NORTH.

KING'S CAMP,¹ this 8th of June 1639.

For the right hon^{ble} the Lord of Lothian, present these.

¹ This letter appears to have been written when the English and Scottish forces lay encamped at Dunfe Law, and whilst negotiations for peace were in progress.





CHARLOTTE DE LA TREMOUILLE
COURTESAN OF DESEY.

From the original by Van Somer at Newcastle Abbey.

Count of Bar - a noble Lathian, to the
 Count of Bar.

1840
 March 18.



Count of Bar - a noble Lathian, to the
 Count of Bar.

1840
 May 11.

Count of Bar - a noble Lathian, to the
 Count of Bar.





1640.]

Earls of Ancram and Lothian.

101

CHARLOTTE DE LA TRÉMOUILLE,¹ COUNTESS OF DERBY, to the
EARL OF LOTHIAN.

1640
March 18.

MONSIEUR, Ce porteur a commendement de Monsieur mon mary de l'adrefer à vous à qui j'ay temps recognue d'affection pour ce qui me regarde a qui me fait avec plus de liberté vous dire le fujet de son voyage. Nous auons fait ce qui nous à esté possible pour venir à quelque fin en ce qui nous regarde touche, mais n'ayant peu jusques a faite heure nous auons employée nos amies parens qui ont bien agreable, de nous obliger ce qui fait que ce porteur à charge de leur dire le desir que nous auons de nous aquemoder en Engleterre, et je ne le fais point de doute qu'ils ne employée pour nos interes avec affection et que vous ne nous fasies l'honneur de desirer une bonne issue a nos desins, qui est pour le bien et la tranquillité de ma famille, qui ayans tant de relation avec la vostre me fera desirer les occasions de vous temoigner pour mes seruices que je vous suis, Monsieur, vostre seruante tres humble,

C. DERBY.

Ce 18 Mars [1639-40].

For the Earle of Lowthian.

GENERAL SIR ALEXANDER LESLIE,² to the EARL OF LOTHIAN.

1640
May 31.

MY LORD, I will reuil my selfe vnto your Lordship (hauing foe great assurance of your worth) mor fullie then to any. You hear

¹ Charlotte de la Trémouille was a daughter of Claude de la Trémouille, Duc de Thouars, and wife of James, seventh Earl of Derby. She was distinguished for her famous defence of Latham House, when it was besieged by the Parliamentary forces in 1644, and of the Isle of Man in 1651.

² General Sir Alexander Leslie was the son of George Leslie of Balgonie, and Anne Stewart (of Ballechin). He was educated for the military profession, and acquired

what is done in the Mers; I wifs you be vigilant in Tividaill. Since Monro is come to you, and my Lord Erskin lyeth at Kelfo, it is your safetie to joyne together at Kelfo, for I am afraid you may bee surprised, being one from another, and being there you can receaue no harme except there foot armie come against you, to which I desire you may haue a speciall eye, and get fure intelligence what way they moue, that if you bee in danger to bee ouermastered you may march and joyne with me, who am forced to ly heir vntill the horfemen come and the troupes gather, for as soon as they wer heir I will come, God willing, in their fight. I haue wreatin to Collonel Monro, to my Lord Erskin, to my Lord Ker, and the Sheryff of Tividail, to the same purpose. Communicat together and bee secret; let their horfemen joyne with you, and keep diligent watches, that they may see your horfemen vpon their guard.—So, trusting to your Lordship, I rest your Lordship's affured freind and serwand,

Leslie

DUNGLASSE, the laft of May [1640].

I haue enclosed ane order for my Lord Fleming, that your Lordship may addresse it to him when you have the opportunitie.

[1640]
June 3.

GENERAL LESLIE to the EARL OF LOTHIAN.

MY LORDE, I doe hear that the King is mindet to visit you or Jedburgh by fending a partie that way and read the proclamation. If

great experience in the wars between the Low Countries and Spain, and subsequently under Gustavus Adolphus, by whom he was promoted to the rank of Field-Marshal. On his return to his native country in 1639, he was appointed military leader of the Covenanters, and conducted their operations with much success. He was created Lord Balgonie and Earl of Léven, October 11, 1641.

they passe by you they are for Drumfries, therfor aduertise me what is become of them; and if they bee come towards you, I desire they may find you in such a posture that they may take no advantage of you: howsoever, let me know by the bearer what notice you have of them, and excuse this becaus it is in hast from your assured freind to serue you,

A. LESLIE.

DUNGLASS, the 3 of June [1640].

THE EARL OF LoTHIAN to the EARL OF ANCRAM.

1640
October 21.

MY LORD, I receaved a letter from your Lordship, sent me from Rippon, within these two days. It was of ane old date; howsoever I was glade to receive it, because of a greate whyle I heard not from yow before. I am very sorry for the cause of your Lordship writting att this tyme, but it was the will of God, and if many friends more had beane in the same lamentable accident with the Earle of Hadinton,¹ we must stoope and submitt. I am glade to fynde the occasion of this bearer (as I was att dinner with our lord lieutenant generall, my Lord Amont²), whoe will make yow a better relation of it then I could write because he had a brother, a surgeon, kild there, therefore I leave to

¹ Thomas, second Earl of Haddington, having been appointed governor of Dunglass Castle, was, by the treachery of Edward Paris, an English servant, who set fire to the powder vault, blown up, on the 30th of August 1640. With him perished many of his kindred and adherents. An account of this disaster was written and published by William Lithgow, the traveller, under the title of

“A Briefe and Summarie discourse upon that lamentable and dreadfull disaster at Dunghlaffe, Anno 1640, the penult of August. Collected from the foundest and best instructions that time and place could certainly afford the serious enquire of the painfull and industrious author. By William Lithgow. Edinburgh, printed by Robert Bryson.”

The original tract, which is of very rare occurrence, was reprinted among the author's poetical remains by Mr. Maidment in 1863.

² Sir James Livingston, second son of Alexander, Earl of Linlithgow, was created Lord Livingstone of Almond in 1633, and Earl of Callander in 1641.

him to tell the way of it, if your Lordship have not hearde particularly alreadie. I am sorry for the expreffion in this letter to me, which fayeth, "nowe that we are in direct opofition to our King." We are not foe, nor ever fhallbe:¹ we are but come hither to prefent our humble fupplikations and juft greavances, and if we do it in armes it is to fave and defend ourfelves from his and our enimies. If our intentions had beane otherways we might have beane nearer where yow are; but, in fpite of all calumnies, and the vntreuths are fpred againft vs, we fhall approve our felves good and faythfull fubjects, and better then thefe his Majeftie hath a better opinion of. We leave it to God, whoe in tyme makes treuth apeare. There is nothing after the treuth which we defire foe much as to goe home and injoye it in our oune poore countrie; and, verely, I had rather be Governor in Jedburgh then have the charge I have in this toune or in any in England. If it pleafe God to perfite this Treatie and turne it into a wifh'd peace, I intend, fince I am this length, to fee your Lordship before I goe backe to Scotland. I have no other purpofe but to remember my humble fervices to my lady, and my love to my brothers and fifters.—I reft, my Lord, your moft lovinge and moft obedient Sonne,

LOTHIAN.

NEWCASTLE, the 21 October 1640.

To the right honorable

my very good Lord the Earl of Ancram,
Gentleman of his Majefties bedchamber att London in Blackefriers.

¹ King Charles, notwithstanding his promifes to the Covenanters at the pacification of Dunfe Law in 1639, refolved a fecond time to invade Scotland. But, with great energy, an army was immediately levied, under the command of General Leslie, to refift this attempt on their national liberties. Croffing the border, they encountered the Englifh troops at Newburn on the 28th of Auguft 1640, and after a fhort engagement compelled them to retreat. Next morning they took poffeffion of Newcastle, and the Earl of Lothian was appointed governor of the town. Charles thereupon nominated commiffioners to meet others from the Scots at Ripon on the 1ft of October. On the 23d of that month the negotiations were transferred to London.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

1640
November 8.

MY LORD, The only letter I gott of a greate whyle from your Lordship was to be informed of the lamentable accident befell the Earle of Hadinton. I wrote in anfwere of that by one Pringle. I hope it is come to your hands. This is by the occasion of our Commissioners whoe are coming for the Treatie. God give it a good conclusion, and put into the heartes of the Parliament to take the fairest and rightest courses for it. What ever be sayd of us, or be layed to our charge, God Almighty knowes we have noe thoughts of prejudice towards this kingdome where we are. If we had, we would not have beane in this place; neccessitie made vs come from home, and thither we will never returne but with assurance to injoy our religion in puritie, and our nationall liberties without relation to the customes of this kingdome. We wish and pray they may gett a reformation like ours, and that they gett every other thing is justly dewe to them by there lawes; and if they be defective in any thing may conduce to the good of the Commonwealth, that nowe they be redressd. But we come not to reforme Church nor State. We have noe futch vaine thoughts. We shall never refuse the King civill and temporall obedience; if more be demanded we can not give it, and in our lafull defence WE DARE DIE. When we shalbe putt to that, we will sell ourselves att a deare rate, and God's works have beane wrought by fewer then we are. When all our reasonable demands are refused we will relye on God and the justnes of our cause, and vse all ordinarie meanes to maintain this worke; and when the worst shal befall vs we would not have shuned it att home.

I wrote in my last that, if God gave vs peace, I would come and see your Lordship before I went to Scotland. I intend soe still if yow be not against it. If your Lordship write any to me, the Earle of Rothes will fend it, and he will give yow best satisfaction in all hath

beane fought or donne by vs or what we desire. I will adde no more, but that I am, my Lord, your most lovinge and most obedient Sonne,

LOTHIAN.

NEWCASTLE, the 8 November 1640.

I beseech your Lordship remember my humble service to my lady, and my love to my brothers and sisters.

To the right honorable
my very good Lord the Earle of Ancram,
Gentleman of his Majestie's bedchamber att London.

1640
December 14.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, I have written at length in answares of your Lordship's letter with this bearer and with the dispatch from our Commissioners. This is only att this gentlemans desire, whoe tells me he goes away tomorrowe and desired this. I have beane willing to have donne any thing for him he desired me. Something is passed over soe long that nowe it can not be donne in ane instant, and something can not instantly be donne nether, because of the exceeding scarfenes of money for paying any thing hath beane borrowed heare, but the first comes I shall doe my best to gett him some satisfaction. He will tell your Lordship the particulars may be. He spoke to me for one interuption he gott this day. As soone as I hearde of it I took it away, and if his stay had beane heare any longer I should, I thinke, have donne the rest. I will mingle noe other purpose with this.—I rest, my Lord, your most lovinge and most obedient Sonne,

LOTHIAN.

NEWCASTLE, the 14 December 1640.

To the right honorable
my very good Lord the Earle of Ancram,
Gentleman of his Majestie's bedchamber.

CHARLES KERR to his FATHER, the EARL OF ANCRAM.

1641
January $\frac{2}{17}$

MY LORD, This day Sir Robert Stone came to the Haghe and told me that he was to goe for England the morrow after, so that I made bold to trouble him to carry this letter to your Lordship, which is to let your Lordship know that I am in good health. I haue written to your Lordship now six times, and haue not receued a letter from your Lordship this 6 weekes. I writt to your Lordship by Sir Richard Cave, by whome I fent two letters. The Queene gaue me on[e] for your Lordship and the other for my Lady, so that I long now extreemly to heare of your Lordships good health, for their is nothing els in the world can bring so much contentement to your Lordships most dutiful and obedient Sonne,

CHARLES KARR.

HAGHE, January $\frac{2}{17}$, 1641.

To the right honorable the Earle of Ancrame.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

1641
February 12.

MY LORD, I have, within this houer, receaved your letter, with one from my Lord Rothes. I have receaved many favors from him, but this last I esteame the greatest for the relation it hes to your Lordship, and I shall studdie to acknowledge it. I wrote not by Sir Jhon Vietch, because I had immediatly written before, and I have written since I came to this toune. I have noe more tyme nowe, but to lett your Lordship knowe of the receipt of yours. Be pleased to take in my service to my lady, whom I have not tyme yett to thanke for the honor of her last letter to me.—I rest, my Lord, your most lovinge and most obedient Sonne,

LOTHIAN.

NEWCASTLE, the 12 February 1641.

To the right honorable
my very good Lord the Earle of Ancram,
Gentleman of his Majestie's bedchamber.

1641
February 18.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, Your letter of the 27 January came but to me within these 3 days, and from Scotland. I have written since, and have since received letters from your Lordship in the purpose wherein I wrote to the Earl of Rothes. I will only, at this occasion, to the second parte of your letter say, that for my purpose of coming to London I will not doe it vnles I may handfomely: for I should be very inconsiderate if, being one of these that gives the power to our Commissioners to treat, I should come where they are, and be excluded from being one of them. It were a Scotts witt indeade; as we do in our Parlements, the bodie chooses a Committee for articles to make themselves ciphers. I wilbe none of these (although I am not desirous of imployment); if I come it shalbe added to the number; and any other purpose but to see your Lordship and your familie would not drawe me to Darntoune, for bookes or things of that kinde I have desired the Lord Maitland to provide me. I can not out of our armie furnish you with a sober fidler. There is a fellow heare plays exceeding well, but he is vntollerably given to drinke, nor have we many of these people. Our armie hes few or none that carie not armes. We are fadder and graver then ordinarie foldiers, only we are well provided of pypers. I have one for every companie in my regiment, and I think they are as good as drumms. If by your Lordship's means, or any others, I could have for my self a well fashioned sober boy for my chamber, that were a barber, I would give him a good condition. The Inglis take not foe well with Scotland: therfore I would desire a Frenchman that had Inglis, or if he had not I am indifferent. The bearer calls for my packett. I close, therfore, and rest, my Lord, your most loving and most obedient Sonne,

LOTHIAN.

NEWCASTLE, the 18 February 1641.

To the right honorable
my very good Lord the Earle of Ancram, etc.

The EARL OF LoTHIAN to the EARL OF ANCRAM.

1641
February 27.

MY LORD, Since I came to this toune I have receaved many letters from yow; most of them doe not require anfwear, therefore I will only tell the dates of them. Within these two days I gott two by Sir Jhon Vaitch, of the 6th February and the 14th; and two this day by William Kerr of Eshett of the 13th, another yesterday of the 12th, and one within this halfe houer of the 22nd. To that of the 6th, wherein was a band for 10,000 merks, I say only that I returne it againe subfcrib'd by two witneses—your nephew Henry Kerr, and William Borthwicke, my fervant. I will not speake of my burdens nor troubles att this tyme, leaft it should imply a reluctance in this particular; but the bygone troubles have made them excedding heavie; a very litle adition att nextt terme may put me in greate diforder. To that of the 14th I say nothing, nor to these of the 13th, but only that I can not fynde any to ease me in the charge I have heare, foe I must continue to doe the inch as I have donne the spanne. I hope God shall give me the grace to goe from it and from hence without doing wrong to any. I shall, as I have donne, strive to doe all the good offices to the people heare and the gentlemen of the country I may, and, in particular, all poynts of freindship to the freinds of our house or any your Lordship loves. That of the 12th I have anfwear'd and obayd. To the last, of the 22nd, I say, that nowe that my Lord Argyll is desired to come vpp, I will lett him come also, and not come with him; I doe not fynd it fitt nor convenient for me, for the Treatie is nowe neare ane end,¹ and I will not come

¹ The final Pacification was not concluded till August 7, 1641, when the Covenanters, besides obtaining their other demands, received a subsidy of £300,000 from the English Parliament, in name of "brotherly assistance," in addition to the maintenance of their army whilst encamped at Newcastle.

like Dicke in *Christ Kirke on the Greene*.¹ I am sorry to heare that there are ruptures like to be amongst them. I have hearde of them another way. If I were amongst them, I beleave I might doe good offices. Seurlly if I were of there number there should not be a possibilitie of breaking with me if they were straight in the maine: what ever any of them did for themselves, for my felse, the good of the publicke hath always beane my only end, and if that goe right I have my desire; and if I be left out in the thanks, I can without displeasure retyre to a private life, and shall, never-the-lefs, be readie againe if my country have vse of the meane service I can doe it; and if there be thanks, I shall wish your Lordship gett my parte, and shall deale that it may be foe, as I am most confident some are there wilbe readie to doe for yow any thing they can, if your Lordship tell them or me the way. Only I am sorry att the expreffion of your sufferings for me; that makes me wish I had had noe hand in this buffines rather, and I had rather have beane deade then not to have beane ane actor in it.

Nowe that there is hopes of a peace, if your Lordship would be pleased to make try for horffe for me that were handsome and were managed to a *passade* or *terre a terre*; noe other are a desire or could fit well if it were not a *curvette*. I desire not one large, but a ring nagg that were full of life and metle for a commander without armes. If futch a one could be gotten, I would desire to knowe, and the rate, that I might fend for one. I am reasonably well horffed for a highway, but I have nothing of that kinde if it were butt for a showe or the streate, or in case of neccesfitie if I were to goe where I might be ingadged in a skirmish; if it were but vpon ane occasion of ridding to discover the countenance of ane enimie, or to see a passage, or to view a quarter or futch like. And for the horffes I have, I am altogither disprovided of fadles and furniture; most of them spoyld or broken in our coming thither, and loss'd when our horffe stode abroade

¹ "Quhen all was done, Dick with ane axe came furth," etc.

1641.]

Earls of Ancram and Lothian.

III

in the fields. I would have the fadles for carying pistolls, velvett on the fete and leather vnder, and high before, but not altogether cloffe behind, a roule only att most, and large and handsome bitts, and of the finest blacke leather graith with brasse buckles; only I would have one padde for a litle nagge, and double fuites of graith always, becaufe they breake and spoyle before the fadles. I had desired my Lord Dunfermeline to gett me futch a horffe to buy, but your Lordship hath better skill, and I will give 40 or 50 peaces for one of this kinde. Of all things I would have one of the metled proude ring naggs, and fadle and furniture futable for him. Your Lordship will pardon this tedious addition.—I rest, my Lord, your most lovinge and most obedient Sonne,

LOTHIAN.

NEWCASTLE, the 27 February 1641.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

1641
March 6.

MY LORD, I have by the last occasion answered all the letters I gott from your Lordship since I came to this place. This I thought should have beane in the Earle of Argylls companie, but we have stayed him for some tyme, and the Lord Lindesay should have come also. I have noe purpose to come att this tyme, nor as long as there is any Treatie; for I have noe mynde to be only att the end of it. If it conclude well, and that I have any tyme before we remove from hence, I will come, God willing, and see your Lordship; but I will not leave my regiment to any others leading home; as there are noe complaints against them yett (att least fewe) I will strive to take them from hence without doing injurie to any. It might be in martching home some would lay there hands about them, and they will not be soe well restrained without me. This letter comes nowe with William Fleming, whoe is a sober and discreate yong man. Some had mistakes at his coming vp, becaufe of his relation to Montrose,

and that his father was in the band foe mutch noyse was of; but his brother was free of it, and this gentleman also,¹ whoe hath made a declaration to vs when he was permitted to come vp. I pray your Lordship vse him kyndly. I send with this the inclosed from Lochtour.² It will tell his desire best. I desire noe prejudice to Corbett: he may give him some condition likeways. As that roome was lately taken, it is of noe benefitte to him, but it may be of mutch to Lochtour. I have noe other purpose att this tyme.—I rest, my Lord, your most lovinge and most obedient Sonne,

LOTHIAN.

NEWCASTLE, the 6 March 1641.

To the right honorable
my very good Lord the Earle of Ancram,
Gentleman of his Majestie's bedchamber.

1641
March 10.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, I have this night receaved your letter from Captain Stewarte of the 6th. I perceave your Lordship hes receaved most of myne. I have litle newe purpose to write, nor is there any thing to answeare to this. One thing only your Lordship touches not, which I have written in some of myne formerly, which is for a barber, and a Frenchman I named, because the Inglish like not our country foe

¹ Sir William Fleming, second son of John, second Earl of Wigton. The "band" here referred to was drawn up by the Earl of Montrose at Lord Wigton's seat at Cumbernauld, in July 1640, and signed by several of the nobility, whereby they combined to adhere to one another in pursuance of the Covenant, but to oppose the party who were then in power. (*Burnet's Memoirs of the Dukes of Hamilton*, pp. 178, 179.)

² Gilbert Kerr of Lochtour.

well, and there are noe Scotts, I thinke, to be gotten; but if he be good of his trade and qualities, and a well favored yong fellowe, I care not foe mutch of what nation. All the rest is anfwearred, and they will come in your tyme. For bookes, I desired the Lord Maitland¹ to buy some for me, and he hath the catologue, and I beleave he hath bought or bespoken them erre nowe, therefore lett him make ane end. I have a greate desire to see your Lordship before I returne to Scotland, being this length; and by my last yow will fynd I have noe purpose to come vp during the Treatie; there werre foe many have a mynd to the jorney, and I love not a croude. If the Treatie were ended I will come, if there be any tyme betwixt it and our going from hence, otherways I will leave till ane other occasion, or that your Lordship thinke fitt to come into Scotland. This place is too neare not to see your friends there. Some other things I would have had from London, but they can not be gotten foe conveniently. I have in this service had neade severall nights of a furred coate; but my measure is not nowe with any taylor, and would have had one meate and well made. But the seafone will not nowe so mutch neade it, although I have beane this winter (and litle yett recovered in a maner) in a fainte languishing, foe as I was never in all my life. I can adde noe more to this, but rest, my Lord, your most lovinge and most obedient Sonne,

LOTHIAN.

NEWCASTLE, the 10 March 1641.

To the right honorable
my very good Lord the Earle of Ancram,
Gentleman of his Majestie's bedchamber.

¹ John, Lord Maitland, was eldest son of the first Earl of Lauderdale, by Isabel Seton, second daughter of the Earl of Dunfermline. He succeeded his father in January 1645, and afterwards was created Duke of Lauderdale.

1641
March 22.

THE EARL OF LOTHIAN TO THE EARL OF ANCRAM.

MY LORD, Within this houer Mr. Hadan came to me and gave me your letter, and fwore he had brought me them thrie or four days fooner, but I was gone into the Bishopricke of Durham to take the aire (with Argyll and some other noblemen), for I agree exceeding ill with this place; and to morrowe I intend to take some phisicke, not foe mutch, I thanke God, for any present distemper, but ane indisposition I have had all this winter, and because it is my ordinarie to purge and lett bloode once a yeare att least. The sword your Lordship hath sent (if I have any skill) is a very good one, and I value highly any thing was my Grandfathers. I pray God give me the grace not to do anything vnworthy of him or your Lordship. I shall alway make vse of this sword and all I carie for the honer of God, the good of my country, and the Kings service when it is not contrarie to these; and would to God the King would leade our armie, or make vse of the hartes and hands of his good subjects, in a iust and a holy warre for the advancement of religion and perfiting this greate begun worke. I should thinke myself hapie to die att his feate or in the action.

The other things your Lordship writes you will send, I will expect att your conveniencie. But the picture and booke sent in Mr. Carr of Elhetts trunke is not yett come to my hands; nor heare we of the shipp, although there were never more ships in the river then att this tyme, whoe are staying for coale, and never fewer to sell to them. Many of the pitts are drouned and spoyld because the fellowes runne away for feare when we passed att Newe Burne, but I shall doe my best to send some to your Lordship if it be possible: it shall not fayle for sparingnes. I will expect that barber your Lordship writes of, whoe comes from France; I like him not the worfe he is a furgeon: they may vpon many occasions be vsfull in peace or warre. This letter will come to your hands by my grand-

1641.]

Earls of Ancram and Lothian.

115

vncle Innerwicks sonne, Mr. Thomas Hamilton, whoe is a good
and a fober yong man. I hope your Lordship will looke kyndly vpon
him for his interrest in, my Lord, your most lovinge and most obedient
Sonne,

LOTHIAN.

NEWCASTLE, the 22 March 1641.

To the right honorable
my very good Lord the Earle of Ancram,
Gentleman of his Majestie's bedchamber.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

1641
April 7.

MY LORD, I have receaved your letter of the laft of March, and
in anfwere to itt I can only fay that my phisicke did the ordinarie
prefent effect; but I fynd not myfelf foe well yett as I vfed to be. I
have had a languifhing indisposition this winter, which is vnwilling
yett to leave me. And for matters off warre, when it fhall pleafe
God this (or the appearance of a warre rather) fhall end, if the King
have vfe of my fervice for the Prince Ellector or any other juft way,
I fhall be readie. And I love the foldier, I confefs; but I am not in
love with the Portugall imployment, although I wifh it good fucces.

I defire exceedingly to fee your Lordship, which yow fay in this
[letter] may be this fpring. If the Treatie were ended, I would in-
ftantly come vp, otherways I have noe mynde to be att the end of it.
But if your Lordship thinke of coming northward, I fhould be glad to
knowe of it before. I had rather take the pains vnlefs yow would
goe into Scotland. It may be I be injoynde to make a ftarte to Scot-
land to be att the prorogation of our Parlament, which is to be the
13th of this. If I goe (leaft fome fifhers in muddie waters fturre and
make interruption), I meane, God willing, to be backe by the 22 or
24 att fartheft; but this is not refolved of as yett. Howfoever lett it
not hinder the fending doune of the French boy, nor anything els
your Lordship fends to me. I leave heare thefe will receave him

ontill I come. I desire he may come provided with instruments and combes and futch things for his trade. I showed my Lord Yester that parte of your letter concerning his sonne, and I shall give my Lord Rothes particular thanks for his friendship to your Lordship; it is beyonde any way to oblige me. The booke and picture I have att last receaved, and for the litle I have lookt into the booke I like it well, which displeases me that it should want two leaves betwixt folio 60 and 65. I have noe other purpose att this tyme to write, but I shall misse noe occasions.—I rest, my Lord, your most lovinge and most obedient Sonne,

LOTHIAN.

NEWCASTLE, the 7 Aprile 1641.

Three or 4 houres agoe, when I was writting this letter and some others, I was interrupted (as it is strange to me to be a quarter of ane houer alone in the daylight within this house), and was called to a meating in a buffines comitted to a fewe of vs. Since I fynd that it is like I will not goe to Scotland att this tyme, this I give your Lordship notice of, and that with the Earle of Southesk, whoe came to toun this night. I have reseaved your letter by Watt Scott, in which I shall doe him [all the] good offices I can.

To the right honorable
my very good Lord the Earle of Ancram,
Gentleman of his Majestie's bedchamber.

1641
April 12.

THE EARL OF LOTHIAN TO THE EARL OF ANCRAM.

MY LORD, I have written lately by Captain Stewarte, foe that nowe I have litle purpose; yett by this bearer I must write something, although he come slow by journey. I wrote in my last that I was going to Scotland, and in the postscript that I was determined to stay. I am in ane irresolution yett. This toun's aire agrees exceedingly ill with me, and I can not gett ane indisposition shaken off which hath

kept me all this winter. I thought the spring and some phisicke would have help'd, but I am againe as ill almost as I was, so I must ether come South or goe North to change aire. I wish the Treatie were ended, that I might come towards your Lordship. If it drawe in length, and that we gett a newe cessation, I will to Scotland for 14 days. I have in this place for lazie a life for bodilie motion, that (with the parte of the toun I am tied to, for the peoples convenience and the gardes to stay in) I fynde a sensible prejudice. I am trying to gett some coales sent to your Lordship, which shalbe with yow shortlie if there be a possibilitie to gett them sent. I have noe taylor att London that I knowe to whom I might send for any litle thing for me; therefore I must trouble your Lordship to desire that I may have two night capps and two pair of slippers, one grasse greene, the other skie collour, with gold or silver or gold and silver galloun lace vpon them. I can nether gett them heare nor in Edinburgh. If I goe to Scotland it wilbe about the 16 of this month, and I purpofe, God willing, to be backe before the end of it. Let it not hinder the sending any thing to me your Lordship purpofes. I have noe more for this tyme, but rests, my Lord, your most lovinge and most obedient Sonne,

LOTHIAN.

NEWCASTLE, the 12 Aprile 1641.

To the right honorable
my very good Lord the Earle of Ancram,
Gentleman of his Majestie's bedchamber att Court.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

1641
May 13.

MY LORD, I receaved two letters yesterday at Jedburgh from your Lordship of the 4th May, att least one of them is for; I knowe not certainly, because att the writting of this I have them not by me. I came to this place yesternight, and nowe purpofe, God willing, to remaine heare as long as the armie stays. I have litle to anfwere to

yours, nor purpose for this, only to say that since I came I have received these things you sent me, saddles and furniture, and the box with the dishes and other things of that kind, with the watch and seals also.

Mr. Achefone is to come away within a day or two with some coals for your Lordship. I conceived he had come for some purposes of his own hither. The boy, although he be little, I like well enough for the first sight, and will keep him as long as I like him, or he my service. This letter is principally to let you know I am here. I shall write at more length with the next occasion. For this time I can say no more, but rests, your most loving and most obedient Sonne,

LOTHIAN.

NEWCASTLE, the 13 May 1641.

To the right honorable
my very good Lord the Earle of Ancram,
Gentleman of his Majesty's bedchamber.

1641
May 15.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, I wrote in haste to you yesterday by Mr. Mercer; now I have some more time with this bearer, Mr. Achefone. He came with the French boy to this town the day after I went out of it, and he stayed in't till now. When I heard he was come I sent order to make quarter him in a good house, and he got what money he called for for his entertainment, as he will tell him self, nor wants he now to bring him backe to your Lordship againe. He brings along with him in one Raphe Lamton's shipp of this town 42 chalders of coals, which, as I am informed, will answer to the chalders at London to 70, for they tell me every dozen heare will be 20 at London. Soe your Lordship will be pleased to take notice of this, that the maister of the shipp use not flight; they must be taken off his hands within fouer days after you are required to receive them, otherways, by

indentor, I am bound to pay for every day after 3lib. 10s. For his charges your Lordship hath nothing to pay, for I have satisfied all the coales heare and his fraught; whither Mr. Achefone had come or not, they had come to your Lordship. I beleave the proportion will ferve your houle a good while. I judge only by what they stand me to coales and fraught neare 8olib. within 20s. vp or doune. I have receaved the fadles, which will fitt me well anough, although I wish they had beane something larger. The graith is too litle and small; and I make never vse to any horffe or nagg I ride vpon of snaffles or small Inglish bridles or stirrupe irons, always blacke French graith. I have given this bearer a note of futch graith as I desire to these fadles and others I have. I have, I thinke, answered all your letters, only one thing in that of the 17 Aprile your Lordship writes yow have sent me another of the bookes without the errata of the want of five leaves, but I have not seene it yett. Your last letters to me were of the 25 Aprile, and 4 of this. There is nothing I can answer to them, nor to any other I have receaved, nor have I any purpose to write further to your Lordship. I am nowe heare, and reasonable well, I thanke God. Howe long I shall continue I knowe not, but this place my disposition hath ane antipathy to withall. Housoever, heare I purpose to stay nowe till some end of matters. God send them well when he will. I can say noe more att this tyme, but that I am, my Lord, your most lovinge and most obedient Sonne,

NEWCASTLE, the 15 May 1641.

LOTHIAN.

To the right honorable
my very good Lord, the Earle of Ancram,
Gentleman of his Majestie's bedchamber.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

1641
May 23.

MY LORD, Yesternight by the Lord Maitland I receaved two letters from your Lordship dated the 17th and 18th of this [month].

To the first I can answere nothing, nor noe I what to say to the second; for I conceive not what I can doe for my self att this distance, and if these my friends doe for themselves and leave me out and others also whoe have deserved well of the publicke, they will doe themselves more wrong then we shall suffer prejudice. For we have often bound ourselves, in publicke and private, not to seake private advantages, nether in meanes nor preferments; and if the publicke goe well I haue that I desire most on earth, nor shall I ever (with God's assistance) doe any thing for a world contrarie or to the lessning of this we have beane about; nor doe I conceive that any of our number there will have pouer to doe foe much ether for themselves or any bodie els. There are not many places in Scotland emptie, and if there were more, I am not ambitious of any State imployment; for other recompences, they will not be in private dispositione. If there be much of that kynde the Estate will have a voyce in the distribution, and then I feare not to want a share; for any thing in the King's gift I would to God he would recompence yow for your long service, or doe for the rest of your children. I should, vpon that condition, oblige my self never to trouble him with any suite; but make the best of that fortune God hath putt into my hands, and retire home and manage it the best I may, and dispose of some of it to save the rest, which of necessity I must; and in this I must desire your Lordship's permission, for the burdens I am in are heavier to me then death, nor can I struggle with them any longer, and be a slave to some citicens and lawiers and futch moneyd men. Soe I am resolved to put my self out of debt, though I should keape nothing but Ancram and Neubattle. And whatsoever is the cariage of any of our Commissioners towards you, it is nowe too late for me to goe about to remedie it, for all I beleave nowe wilbe neare a close, and nowe if they be more free with yow it were not worth thanks. I am resolved in all these things to vse the ordinarie meanes without perturbation, and take matters as they fall; and if a friend faile to me, not for that leave off the honest plaine way I have kept, nor omitt

any thing againe of my profession to them; for I am not tyed by there cariages to me, but by my oune professions to them, wherin I will not faile, and nothing but injuries can make me have a thought of hurting them, not there fayle of frendship to me. Nowe if I have not answereed your letters according to your desire, it is because I conceive not what they can doe for them selves nor for me, nor what wilbe in there dispositions. As I have sayd some thing alreadie, there is noe employment in our Kingdome I desire, nor any charge in't, if it have not some simpathy with this life I have beane in this tyme past, but I purpose not to feake any, nether till the Treatie conclude. Then the Castle of Edinburgh, or some employment vpon the Borders. If any thing be necessearie after this, these would please me more then a White staffe. We heare his Majestie purposes to come to Scotland. We will not be able to doe as we did last in expenses, nor doe I purpose it in any kynde, nether for table nor cloathes. Four yeares troubles is more then ane excufe. I am glade I quitte when I was in Scotland ane eminent lodging I had. Nowe I have taken one will be as ill to be found as the other was to be miss'd. Come whoe will, I purpose nether to feaste nor lodge any man as I did last. I shalbe glade to knowe of your Lordships diett. I feare the King yett be ingadged to further discontent if he come, for he will not fynde our Parliament foe submiss and slavish as the last; nor will a penn to marke men's names hinder free voting and speaking:¹ this worke must goe through, or our rests must goe vpon it; and the pairties invites him will, in there vndertakings, leave him in the

¹ Shortly after his coronation on his visit to Scotland in 1633, Charles I. ordered an Act to be framed, asserting the royal prerogative in all matters civil and ecclesiastical, and giving him power to regulate ecclesiastical vestments. On this being submitted to Parliament, it was strenuously opposed by Rothes, Balmerino, and others, and on being put to the vote, "the Act was indeed rejected by the majority, which the King knew; for he had called for a list of the numbers, and *with his own pen had marked every man's vote*; yet the Clerk of Register, who gathers and declares the votes, said it was carried in the affirmative." (Burnet, *History of his Own Times*, vol. i. p. 37. Oxford, 1823). But the Earl of Rothes boldly contradicting this statement, the King

mire as others have donne before. We knowe them all and there strength; ours is God, and all that are false and hollowe will gett fhame and dishoner.

Erre thefe come to your hands, James Achefone wilbe, I hope, in the river with your coales. I can fay noe more, but that, God willing, I purpofe not from hence, as long as the armie ftays if my health permitt, which, I thanke God, is good for the prefent.—I reft, my Lord, your moft lovinge and moft obedient Sonne,

NEWCASTLE, the 23 May 1641.

LOTHIAN.

1641
May 28.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, By two or three pofts came this day and within thefe two days, I have hearde nothing from your Lordship. Only this day by Sir James Bannatine I gott one of the 9 of this month. Your Lordship hath gotten two or three from me certainly erre nowe, and I hope James Achefone and your coales. I can write litle by this occafion, only I thanke God I am in good health, though very wearie of this miserable place. I have receaved likeways your letter by George Balfour; and if he gott not that money yow apoynted for him, out of your penfion, it was not my fault. I could not gett it from the Treforer, and I could not conveniently fatisfie him any other way. Your Lordship wilbe pleafed to lett me knowe whither yow can gett futch a horffe as I defired. If it can not be conveniently donne, I will try if, at the difbanding of the forces of Berwicke, any captain hath futch ane one there. And although in apearance our warre be neare ane end, I will not caft away the provifion of tents I have. But I was not foe well fitted of a bed; therefore if your Lordship would be

declared that the report of the Clerk muft be held decifive, unlefs challenged at the bar of the Houfe. This Rothés declined to do, as, in the event of failing in his proof, he would have been liable to capital punifhment.

pleased to make any of your servands gett me from any vpholdster one for the fields, with quilts and a small bolster and as they are vsed, I should drawe the money by exchange to pay for it. But I would have it a prettie one, and all fitted for cariage. I must againe from your Lordship desire some pictures. If yow come into Scotland this summer, yow will fynde some roomes in Neubattle not ill dresfd; they want only some of that kinde of stuff. I have noe more till I heare from your Lordship, but rests, your most lovinge and most obedient Sonne,

LOTHIAN.

NEWCASTLE, the 28 May 1641.

Your Lordship will excuse me for putting the inclofed within your letter.

To the right honorable
my very good Lord the Earle of Ancrame, etc.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

1641
June 7.

MY LORD, I did noe more thinke this morning to have gone to Scotland then to Spaine. But the Lord Sinclaire came from Scotland, where there is some koylle, and the Lieutenant Generall and I are called thither, to what purpose we knowe not till we come there; and we goe away this night, to be I thinke, he att Pynky, and I att Newbattle to morrowe night, God willing; and if noe greate accident hinder, my intention is to be heare againe this day or to morrowe feaven-night att farthest. This is only to tell your Lordship of this, and of the receitt of your letter of the 29 May, which is the last I have receaved. I shall be glade to see your Lordship heare, but lett me be heare againe before your Lordship begin your journey. And for the horse I wrote for, if your Lordship have one, if he be of the kynde I desired, he will suffice; I desire of futch noe more then one, but I would have him a fyne and readie one. I can say noe more att this

tyme, but that I am, my Lord, your most lovinge and most obedient Sonne,

LOTHIAN.

NEWCASTLE, the 7 June 1641.

To the right honorable
my very good Lord the Earle of Ancram,
Gentleman of his Majestie's bedchamber.

1641
June 18.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, I wrote when I left Newcastle. I then sayd I would be backe there within eight days ; but when I came hither I found more worke then I imagined. Montrose, Naper, and Kier were committed to the Castle on Fryday last, the 11 of this.¹ I was apoynted to see them put in. It wilbe yett eight days before I be at Newcastle. Till your Lordship heare I am there, I hope yow will not sturr, nor my brother. I can say noe more in this haste, but that I am, my Lord, your most lovinge and most obedient Sonne,

LOTHIAN.

EDINBURGH, the 18 June 1641.

To the right honorable
my very good Lord the Earle of Ancram,
Gentleman of his Majestie's bedchamber.

1641
June 24.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, Sir James Hackett came this day to this towne (to goe to morrowe to his sifter Griffell's mariage with Sir Thomas Kerr

¹ On the 11th June 1641, the Earl of Montrose, Lord Napier of Merchiston, and Sir George Stirling of Keir, were imprisoned within the Castle of Edinburgh, charged with plotting against the Earl of Argyle, and other courses tending to divide the Covenanters.

of Cavers). He tells me he hath left your Lordship's letters to me att Newcastle, because I was looked for there, and he was informed he would misse me by the way. I intended indeade to have beane backe eight days since; but this busines concerning Montrose and his associates hath hindered me, and it wilbe yett two days before I gett libertie to goe from hence. Soe till I were att Newcastle I should be sorry my brother come thither. But if he come before me, he will fynde my house and my friends and servands there. I shalbe in't, God willing, if I be living and in health, the last of this month. I can say noe more till then, or that I gett matter by your letters, but that I am, my Lord, your most lovinge and most obedient Sonne,

EDINBURGH, the 24 June 1641.

LOTHIAN.

To the right honorable
my very good Lord the Earle of Ancram,
Gentleman of his Majestie's bedchamber.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

1641
July 3.

MY LORD, I came to this toune two days since. The Lieutenant-Generall and I were apoynted by the Committee of Edinburgh to come hither, because then they had not hearde there was ane delay in the King's jorney towards Scotland, and it was thought his charge and myne required we should be heare. The rest that were in Edinburgh and had charge in the armie were apoynted to waite still there, for the busines in hand and for preparatione for our Parlament; which whither it will prorogate againe vpon his Majestie's last desire I can not tell, till the Parlament men come together; but the posture of our affairs there and the tyme of the yeare will hardly admitt it. I receaved of late two letters from your Lordship, one which Sir James Hackett brought the length of this place, and left heare because he was told he would misse me in Scotland, and that came but to me (on

Wednesfday the first of this) at Fala as I was coming hitherwards. Your other, by the Master of Yester I receaved from him the 2 of this [month], when I mett with him a myle on this side of Wooler. I can not anfwere to them nowe foe particularly, because they are att my lodging, and in the ftreate I mett with this occasion going instantly away: foe I write this in haft to lett your Lordship knowe I am heare, and that by the next occasion I shall write att more length. I have also receaved letters from my Lady and my brother and sister, to whom I pray your Lordship excuse me that I anfwere them not att this tyme, which the bearer's hafte will not permitt. I can fay noe more, but that I am, my Lord, your most lovinge and most obedient Sonne,

LOTHIAN.

NEWCASTLE, the 3 July 1641.

To the right honorable

my very good Lord the Earle of Ancram, etc.

1641
July 6.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, I anfwearde in parte the letters I receaved from your Lordship since I went to Scotland by James Hamilton: ere nowe sure yow have it: only one thing I ommitted, which was to lett your Lordship knowe what was my part in the laste bufines concerning the Earl Montrose. In winter, indeade, when his Band was burnt, I did what I could to quiett matters and bring him off, and he thought I did him good offices. But nowe I tooke not foe mutch paines; for his often relapses are not to be indured, and his practises wilbe found mutch to the prejudice of the publicke, and very malicious against particular men, whoe, to my knouledge, disserve it not at his hands. He was therfore (without one voyce disassenting, ether of the Committee or noblemen and Commissioners of Parlament, whoe were present in good number) committed to the Castle, and I beleave my judgment was the first was asked in't; for futch was the President's pleasure, whoe

was foe for that tyme. He gott my vote to it also when in voting it came to my turne, and I was apoynted with the Lord Maitland to carie him to the Castle. This buſſines, and the examining him and Naper and Kier, with Captain Stewarte, and Mr. Jhon Stewarte's examinations, kept me 20 days in Scotland, and with greate difficultie I gott away att laſt, which would not have beane permitted if the King's coming doune had not beane expected; vpon that, it was thought I could not be abſent from this place. For my ſelf, in all theſe proceſſes and troubles I have noe particular but the good of the publicke; that ſafe, I am for all the ways of gentleneſs and moderation. I was the more deſirous to come hither, thinking your Lordſhip or my brother might come heare, and nowe I will not gett leave to ſtay beyonde the 12 or 13 of this month. For, whither the Parlament ſitt or prorogate, I knowe I wilbe called to goe thither. I beleave vpon the King's deſire and the Parlament of Ingland's we will doe for delay all can be; but I beleave it will only be in this manner; the Parlament will ſitt and be preparing matters till the King's coming. Then we are confident the things we will deſire his conſent and ſcepter to, wilbe found foe neceſſarie and juſt, that he will agree to them and make noe opoſition nor diſpute. But to prorogate till the midle of Auguſt, and then to be to begin, our long ſufferings and the poſture of our affairs will not permitt, if it were but for our harveſt, which then, gentlemen muſt atend. But all this is but my thought, which yett, I beleave, will come to paſs. If I be called after matters are ſett by Committees or otherways in a way of progreſs, I will haſte hither againe to the taking off of our armie, from which, God willing, I will not be abſent. Therefore ether till the beginning of Auguſt I would not have my brother come towards this place; or if he come and miſs me heare, that he come preſently towards Scotland. But your Lordſhip will better knowe howe to conforme his journey or your Lordſhip's for the fight of the Armie, by the tyme wilbe apoynted vs to goe from hence by the Ingliſh Parlament, and when the ceſſations give vpp; and in the going off, our Armie wilbe only worth the ſeing, and viſible indeade;

for nowe they are disperfed. Then we will goe all away in a bodie, or in futch partes as wilbe worth the looking on. I beleave I will fall to be the laft, for the laft to march out of this toune I muft be certainly. Yesternight the Earl of Dunfermline and the Lord Louden came hither: in there companies I gott two letters from your Lordship, one the 26 June, the other the laft of it. That of the 26 beares only, yow are making readie for me a horffe, and that I fhould not feake any other any where els, which I purpose not to do. The letter of the laft tells me of fome stoppe your Lordship and my brother have gott for your jorney hither. I hope it wilbe but for a tyme. In the end, yow fay yow will studdie to furnish your felf horffes, seing yow fynde foe fewe good fellowes to lett yow have when yow want. Your Lordship hath in that and other things beane but too good a fellowe, and yow have gotten ill meattings. I have a gelding and a litle stoned nagge. The one is tried, the other is deare anough and of good kynde, and paces and gallopes well for the litle tryall I have had of him. These your Lordship shall have when yow will, or any els I have, and when and which way yow please. Another litle gelt nagge I may have likways, which is praised for a good one. I have nowe ended with my Lady Lothian (whoe wilbe heare in her jorney towards London to night or to morrowe), and I have payed her for 4000 merks by yeare of the 9000 I payd her yearly, foe that treuly the day before I came from Edinburgh for that purchase and her annuitie she gott from me above a 1000 lib. sterline. This, and to take order with my annuall rents, and to entertaine my felf heare, hath preff'd me harde att this tyme. I shall, I hope, have noe more contraverfie with her, nor with any bodie if I can choose and light vpon a midde cource, for all my plees shall ether be in my defence, or if I perfewe any, it shalbe after I am refused friendly dealings. I can adde noe more att this tyme, but that I am, my Lord, your most lovinge and most obedient Sonne,

LOTHIAN.

NEWCASTLE, the 6 July.

Your Lordship wilbe pleased to give my Sister this letter from my Lady Griffell Setone. I must make the excuse I did in my last for not writting.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

1641
July 11.

MY LORD, I have written to your Lordship since I wrote att my first coming to this place, and this last letter I sent by Lancy Pringle. It will not come soe fast as the first did, but it is att more length. It bears that I thought I would go to Scotland again for our Parliament which aproaches; and this day I have gotten a command from the Committies there, to come home. I am soe hurried from thence hither and backe againe, that almost nether att home nor abroad since these busineses begane, have I beane maister of my self three days together. This command to me to come home, came betuixt fermons this day, and I am going to horffe within two houres, which wilbe about 12 in the clocke att night. What my stay wilbe I knowe not, but it shalbe as shorte as I can make it; a fortnight wilbe the most. I should wish that I were heare before your Lordship or my brother came; and as I sayd in my last letter, oure Armie will only be worth the feing or visibie in the marching aff, and att that, of necessitie I must be, for I hope there are not many complaints of my soldiers, and I shall strive to take them from hence with as fewe complaints against them as can be. They will goe home the more orderly that I be with them. For these horffe your Lordship writes of, lett them come att convenience. What I have fitt for yow or my brother shalbe readie. I wilbe more able to fitt your Lordship then him, because I am noe hunter; but I will fynde for him of that kynde if my friends have any. I can say noe more with this bearer, whoe I thinke wilbe yong Hempfield,¹ a Collonell in our armie, and a prettie gentle-

¹ Sir John Charteris of Amisfield, in Dumfrieshire.

man. Your Lordship wilbe pleasd take notice of him curteously. I
rest, my Lord, your most lovinge and most obedient Sonne,

LOTHIAN.

NEWCASTLE, the 11 July 1641.

I have instantly received your letter of the 8 July.

To the right honorable
my very good Lord the Earle of Ancrame,
Gentleman of his Majestie's bedchamber.

1642
February 15.

NOTES BY THE EARL OF LOTHIAN OF THE NEGOTIATIONS WITH THE
PARLIAMENT OF ENGLAND FOR SENDING TROOPS TO IRELAND.¹

The 15 February, in the Starre Chamber.

THE first thing was asked, whom we thought fitt would be Generall, because if they knewe they would give the more pay if they liked him, and then asked—what pay we would desire he should have? We answered,—for the first, that it was referred to the Kyng and Counsell, and till the Articles were ended noe determination would be; and for the other,—we would say nothing. The next poynt was concerning the ordinance; the 3rd, about the Generalls garde and 12 lib. for the horse; 4th, the 10th troope condiscended to, and Sir Robert Adair² apoynted to command it; 5th, concerning Londonderrie, they adhere to their former resolution, and that we will represent it to the Counsell foe; 7th, the bagage horse shall be ordered by the House; 8th, for the disbanding, they shalbe disbanded and payed by parcells, but not vnder a regiment. But a doubt vpon this, that this was to be vnderstoode when they had a purpose to disband all, and not to lessen our armie, and keape what proportion they thought fitt, for this would alter our whole Treattie.

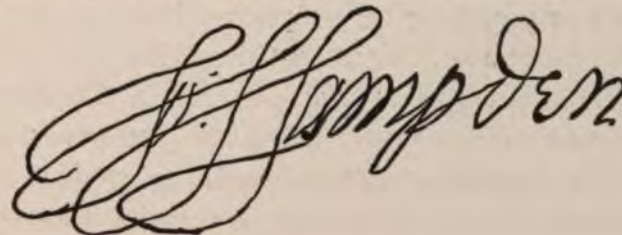
¹ Towards the close of 1641, the Earl of Lothian and other Commissioners were sent up by the Committee of Estates to negotiate with the English Parliament about sending troops to Ireland for the suppression of the rebellion in that country.

² Sir Robert Adair of Kinlilt and Ballymena in Ireland.

JOHN HAMPDEN to the EARL OF LOTHIAN.

[1642
February.]

MAY IT PLEASE YOUR LORDSHIP, The Lords Commissioners and wee of the House Commons are commaunded to present your Lordships with some desires for both Houses this afternoone: and to that end, I presume to desire your Lordship's fauour to bee at Westminster about five a'clock, where my Lords will giue meeting to your Lordship; and you shall not faile to be attended by your Lordship's most humble Seruant,



Thursday, one a clock, in great hast.

I humbly desire Sir Robert Adaire may not depart before wee haue spoken with your Lordship.

For the right honorable
the Earle of Lothian; or, in his absence, to any of
the Commissioners for the Kingdome of Scotland.

ALEXANDER LESLIE, EARL OF LEVEN, to the EARL OF LOTHIAN.

[1642
February.]

MY LORD, According to your Lordship's advyse of the eight of this moneth, we had from Sir Archbald Jonstoune the Treattie with feverall instructiouns and informationis from him by word. Bot now ther is nothing more trowblefome to us, then that in the expectation of the 20,000 lib. to have beene sent doune long agoe, many of the levies wer verie far advanced, and the fouldiouris, to the gentlemen

officeris thair infinit prejudice, ly heavie on ther handis, so that we have beene forced to cause the commissarie vse all meanis in borrowing of money, for the present dispatche of such as wer most reddie, quhairby your Lordship may be assured that, as att this present, some companyes ar on the march, so everie day henceforth some regiment or companies wilbe sent alongis till the full number of our levie be compleitlie transportit; for the quhich cause I sent for your Lordship's lieutenant collonell, to the intent he might ressave ordour with such proportioun of money as can be gottin, that so your Lordship's regiment may nothing be postponit till any of the rest. And soe quhill thir presentis ar in wrytting the gentilman is presentlie cumit in at my chalmer dore, quhom I fall accordinglie dispatch.

Now, my Lord, as yours is ane proportioun purchessit for the putting on of everie regiment quhich no questioun will put all the men on foote, so if these moneyis cum not presentlie doune for the payment of the debt presentlie contracted, and for compleit payment of the quhole moneyis dew to the regimentis, your Lordship may easilie considder quhat a great impediment it will be to the work, and prejudice to all the undertakeris. As lykwyse, your Lordship wilbe pleased to further the moneyis for the levie of the horse troope, the quhich wer expedient to be reddie with the first. Nather can I omitt to recommend ferioullie to your Lordship's consideratioun how necessar it is to have ane Secretarie imployed as ane publict servand of the armie, and to have ane allowance conformeable, seing that our stay wilbe as it wer in the midst of thrie severall Estatis, to quhom we must in some measure be comptable, at the least keipe fair correspondence with them, which is not ane task fitt for everie ordinarie domine, nor have we choise of men fitt for trust, though we wer reddie to bestow on them never so bountefull. Nather may I forgett againe to recommend vnto yow to vrge for ane allowance to certane gentilmen souldiours, perfounes of worth and weeie deserving thair intertenement in the best armie in Cristendome. The number I am indifferent of, nor will not prefs; bot some ar most necessar, wer it bot the number

of four, six, or ten. I must intreat your Lordship to mak my excuse to the rest of my Lordis Commiſſioneris, to quhome I have not tyme to wryt, being preſſed to goe over to Fyffe.

I am glade to heir of your Lordship's good health, and wiſh the continuance thair of, with ane good ſucceſs to all your affairis, as being, my Lord, your Lordship's verie affectionate Freind and Servant,

LEUEN.

WILLIAM MORRAY¹ to the EARL OF LOTHIAN.

[1642]
April 2.

MY NOBLE LORD, At my arryuall heere I found his Majeſtie extreamly ofended with the laſt meſſage ſent by the Parliament,² both for the ſubſtance, aſe being ſharpe and perſonall and rather preſſing then praying, and lykewiſe for a very undutiſull circumſtance, aſe being printed in London befor it waſe ſent, and brought him ſo by the ordinary, at the ſame time he receaued it in writting from the Commiſſioners; ſo aſe, had he returned the deſired anſwer, his immediate thankes had beene a publike reproche. This gaue him too good cauſe to thinke that aſe all he had granted before, which hath beene more than one or all his predeceſſors had done, hath hitherto procured him

¹ William Morray or Murray, of the houſe of Woodend, was the ſon of William Murray, miniſter of Dyſart in Fife. His uncle, Thomas Murray, who was preceptor to Charles I. when Prince of Wales, brought him to Court at an early age, and he was educated along with the Prince. In 1626 Charles appointed him one of the Gentlemen of his bedchamber, and he was afterwards created Earl of Dyſart and Lord Huntingtower. He is repeatedly mentioned by Clarendon as one much truſted by the King; and in a Remonſtrance, which was addreſſed to his Majeſty in 1642, he is firſt named, along with three others who ought to be removed from the Court, "being all perſons of evil fame, and diſaffection to the public peace and proſperity of the kingdom." (*Hiſtory*, vol. ii. pp. 17, 575, 608; Oxford edit. 1826, 8vo.)

² On the 26th March 1642, a petition was preſented by the Parliament to the King at York, praying him to diſpoſe of the militia, "as they had divers times humbly petitioned," and that "he would be graciouſly pleaſed to return to thoſe parts, and to cloſe with the counſel and deſire of his Parliament." (*Ibid.* pp. 314-325.)

scarce any acknowledgment, this (could he with honor or safety haue done) would but haue runne the same fortune.

Finding thinges in this posture, both by discourse with his Majestie himself and by others, I use some freedome withall. I durst not adventure to dispute a case already decided in his heart; I chose rather the shewing your Lordship's letter, that, in a manerly and unsuspected way, I might enter ase in the name of a third person into a debate, which succeeded accordingly. The result of which was, that to the Militia he could giue no other answer then already he had done,—he had taken ane othe at his Coronation to maintaine the prerogative of the Croune as well ase the liberty of the subject, in the former of which he had already failed too much, but in the granting this demand he should subvert it totally. For his returne to London he answered, when their dutifull behaviour made it honorable and safe, he would very willingly hearken to the proposition, but for a particular treaty for accommodation it was a proposition had often amused and sometimes deceived him; that hereafter he would hearken to none but such ase were made him by both Houses of Parliament.

He seemed well pleased with the care and paines you had taken, and said, he would neuer doubt that any honest Covenanter could permit him to suffer contrary to their oath in so essentiall points, destructive both to his honor and hitherto unquestioned prerogative. He insisted much upon this point, so ase, I conjecture, he expects your number should shew themselves more for him then hitherto you haue done. This is all the account I canne give your Lordship at this time, more then that I am, my Lord, your Lordship's faithfull and obliged Seruant,

W. MORRAY.

YORKE, 2 April [1642].

ARCHIBALD DOUGLAS, LORD ANGUS,¹ to the EARL OF LOTHIAN.

1642
April 24.

MY LORD, That your Lordship hes added this to many quherby to increasse my obligatioun off your reall curtesyis, I can bott regraett my awne disability for repaymentt. My defyris and wishe ar the most and best satisfactioun your Lordship neidis to expect; nether fall theis be amissing. The occasioun of this your Lordship's last advertishmentt is anfueritt be ane letter from the Counfall, quherin is declaeritt the untrowthe off thatt reportt quherto I cane not add any thing. Yitt, to give your Lordship contentt, and in fume maefur thankis for your Lordship's kyndnes, refueve the trew relatioun as my memory fervis. Quhen your Lordships our Commiffioneris advyftt us that ye had interponitt your best indevoris for ane better understanding betuixt the King and the Parliamentt, off quhois acceptance off your interpositioun we wer all well plaeffitt, quhilk to wittnes we resolvitt to eick to this imploymentt the Marquis of Argyll and our Chancellour, quhois pouer, eminency, and placis wer in our opiniounis so confiderabbill as they mycht in sum maefur mor advance your projecttis. Of this we advertthitt your Lordship, willing withall that the King and the Parliamentt off Ingland mycht be consulttitt. Our master approvitt our intentionis. The Parliamentt, be your Lordships our Commiffionaris signifyitt ther diffassentt. Quhen thes was returnitt to Counfall tabbill, the questioun was staettit—iff or no the Marquise off Argyll fould obey his first ordouris? In this discourffe ther was dyverfe difputtis and argumentis uffitt *hinc inde*; in thes ther was many raeonis producitt be dyvers there presentt for the Counfall was very frequentt. Quhatt the Erll of Mortoun his speache was (I

¹ Archibald Douglas, Lord Angus, the eldest son of William, first Marquess of Douglas, was re-appointed an Extraordinary Lord of Session and Privy Councillor by the King and Estates, November 13, 1641, and officiated as Lord High Chamberlain at the coronation of Charles II. at Scone, January 1, 1651. He died at Edinburgh January 15, 1655, predeceasing his father. (*Senators of the College of Justice*, p. 297.)

do not remember his wordis), bott I believe itt was to this effect, thatt his Majesty's approbatioune and invittmentt to the Marquiffe off Argyll mycht give ane sufficient warrantt for his repayr to Courtt. Itt was anfueritt be the Marquife, he could nott sie quhat he could conduce to that reconcaementt, sinc the Parliament their opinioun was declaeritt, that his Lordship's coming was unnecessar, and therfor willit to be excusit. In this consideratione the questioun was renewitt efter the refett off your Lordship's advyffe—if or no the Marquife fould goe? Trewly, trewly and ingeniwsly, I do confesse my awne wordis or sence was to this effect,—that seing for the better effectuating off affayris off importtanc the Marquis was joynitt be the Parliamentt off Scotland in your Commissioun off the Traety and house, the Counfall off Scotland had approvenne or rather intraettit his Lordship to repayr to Courtt to assit thatt greatt busines off rycht understanding betuixt King and Parliamentt, and thatt his Majesty did invitt him therto, I think rycht that the Parliament and Counfall off Scotland their opiniouns being secundit with the King, his consentt fould be foonner obeyitt and be any our awin subjectts with mor observaenc anfueritt then ane singill prohibitioun off Parliamentt off Ingland to ane Scottis subjectt and Counfaller quhom the King mycht call quhen he plaesitt for advyffe. As I am ane christiane, and defyris to deserve faythe att your Lordship's handis, this was all as to the wordis sett down in your Lordship's missive to me, off wronging our Kingis prerogative be armis, or to mak ane braeche off our union betuixt the two Kingdomis. Lett me never be thowcht ane honest mane iff I did ever haer fuche wordis emittitt be any, and iff they had beine I wold haeve beine very fory to haeve secund fuche ane discourse, quherby to losse my thankis off former spentt tyme. Ther was in the tyme off Scilla and Marius in that republick *captoris*, quhen this turnitt in ane Impyr in the tymis of Nero and Calligula and many utheris. Ther was Cenfores, bott thes was compattibill, howbeitt nott allowabbill, for the dilaettitt was to be judgitt be the famme staett; bott thatt we fould mak reckoning for our wordis spokine in Scottis Counfall to the Staett off

England is mor then I did ever haer off in the Treatty preceidding this yaer off God. This is nott to justify any thatt fall prove guylty off any thing may give thatt Staett cause off jaelofy, to quhom we awe all dewty and correspondence. Bott iff any fuche occasioun should occur, trewly I think bothe the Scottis Counfall and Parliamentt fould feriously advertt to itt, and punishe the moveris off fuche motiounis. Laeft I waery your Lordship in on busines I craeve your Lordship's mercy. I am so tedious.

Ther is fume uther discourse comitt to my earis may prejudg the paece betwixt your Lordship and your nighbour the Erll off Dalhoufy, to quhom ye know I awe my best respecttis. The particurall is for James Ramfay off Southfyd, quhois remiffioun for this unhappy accident is stayitt be your Lordship or my Lord off Ancrame, and affirmitt to be don in despytt off Dalhoufy. My Lord, lett nether fuche thing be don nor expreffit (under correction I am this bold), for ye know my obligatioun to the nobbillmane and his house, quho defyris to keepe rycht correspondence with your Lordship, utherways he wold never haeve assenttit to thes taermis. I was wittnes and actor in the last bargane quherin your Lordship did imploy me that concernitt him. I leive this to your Lordship's discretioun, and am perswaditt that ye will do nothing to the prejudice off any belongis my kynd kinsmane and your nobbill nighbour, or any to him belonging.

I haeve hard of the imbarcing off your regimentt ; for certificatioun heiroff Sir Jhone Murray is com down. I thowcht to be informitt particularly with your Lordship's commandementtis in this your employmentt, and howbeitt I haeve ever studyit to do yow service, yitt I do nott recentt, your Lordship hes plaessitt to neglect me in thatt fervic becaus off my inability to do yow muche gud. Nevertheless, seeing how hardly levyis gois haer, I haeve given promise to the Clerk Register off your Lordship's acceptance off ane offer maed to me off one Captane Lyndsay, for quhome he will be caution for his abilityis with ane complaett company, all now raedy

iff he fould be commanditt to marche within xxiiii houris. Iff in this I have beine impertinentt, itt is my too bold presumptioun, quhilk, iff I find difallowitt, falbe heirefter amenditt be your Lordship's trew and faethfull Servantt,

A. DOWGLASE.

EDINBURGH, the 24 off Apryll 1642.

To the rycht honorabill and my very nobbill Lord
the Erll of Lowthiane, thes.

1642
Oët. 23.

The MARÉCHAL DE LA FERTÉ¹ to the EARL OF LOTHIAN.

MONSIEUR, Je vous suis extremement obligé de l'honneur que vous m'avez fait de vous fouvenir de moy. J'estois en paine auant de recevoir la vostre de vostre passage, et attends avec impatience de sçauoir vostre retour à Edimbourg, d'où j'espere que vous manderez ce que je puis esperer touchant les propositions que nous auons faittes ensemble. A mon retour j'ay trouué que les ordres auoient etté données pour faire passer tout le regiment des Gardes Escossois en Allemagne avec M. le Duc d'Anguien, et mesme que le dit regiment y debuoit rester avec M. le Mar. de Guebriant. J'ay faict changer cet ordre, et au lieu de tout le corps il n'y en demeurera que dix compagnies pour cette campagne prochaine. M. le Comte d'Irrwine² ayant receu vne despesche du Roy qui lui command de s'en reuenir avec le reste des officiers, et leur a-on donné pour garrison et lieu d'assemblée Amyens. Si on luy donne liberté en Escosse de faire passer les six compagnies restantes, je luy fairay donner son argent soit icy ou en Escosse. Vous me faires donc la faueur, s'il vous plais, de me mander s'il peut recep-

¹ Henri de Senneçtaire, Maréchal de la Ferté, a distinguished French officer, was born at Paris in 1600, and died Sept. 27, 1681.

² James Campbell, second son of Archibald, seventh Earl of Argyll, was created Earl of Irvine, March 28, 1642.

voir cette grace de M^{re} du Conseil de faire passer ces six compagnies fans lesquelles le regiment feroit en assez mauais estat, y en ayant près de 6 à 700 qui sont espars en Champagne. J'ay faict partir vn commissaire aujourd'huy, qui s'en va tant à Metz, Verdun que Rheims, pour assembler tous les Officiers et Soldats qui sont dans ces villes là, les faire payer et conduire à Amyens. Pour ce qui regarde vos interetz, ou ceux de vos amys, me faisant sçauoir vostre volonté, je vous fairay donner tout le contentement possible, vous assurant que je n'auray jamais tant de joye que de vous seruir, en vous tesmoignant que je suis, Monsieur, vostre très-humble et très affectionné seruiteur,

LAFERTÉ.

A PARIS, ²³/₁₃ Octobre 1642.

Monsieur le Comte de Lauthian,
 Con^{re}. du Roy de la G. Bretagne
 en ses conseilz en Escosse, à Edimburg.

The MARÉCHAL DE LA FERTÉ to the EARL OF LOTHIAN.

1642
 October 31.

MONSIEUR, J'é receu la vostre, et n'ay jamais doutté que vous meslant de renouueler les antiennes aliances et amitié de ces deux couronnes, vous n'y trouuissés l'agrément de Messieurs du Conseil; pour moy, je n'oubliéré rien à faire congruentes à sa Majesté et a son Eminence vos bonnes volontés. Vous pouués aussy vous assurer que l'our que nous parlerons plus auant de cest affaire, vous trouueriés sa Majesté portée, à vous donner toute satisfaction, et de tesmoigner l'estime qu'il a tousiours faicte de toute la nation. J'atends de voz nouvelles sur cela pour contribuer tous mes soins à acheminer cest affaire, en sorte que vous ayés toute satisfaction. Vous ne debuè point estre en peine que l'on change aucune chose au traicté que j'ay faict avec Monsieur le Conte d'Irouin [Irvine]. Quand il sera icy, il vous tesmoignera le bon traictement que l'on luy fera. On a faict faire monstre à ses troupes à mesure qu'ils ariuent, et les premieres ont desjà receu deux moyes de gaigne. Monsieur Banentin n'a pas subiect de plainte, ayant

esté fort bien traicté jusques à cest heure : je ne doubte point que l'on ne continue. Il est vray qu'on luy a rendu quelque mauuais office icy : je essaie de faire veoir que ce sont quelques ennemis qu'il peut avoir, qui ont causé de petitz bruietz que l'on a fait courre de luy, lesquels estantz faux n'auront point de fuitte. Je sçay que vous l'aimez : c'est pourquoy vous debués estre asseuré que je luy rendré tout le service qui me sera possible. J'é veu par la vostre et celle que m'escript Monsieur le Conte d'Irouin [Irvine], comme Monsieur le Marquis d'Onthelay [Huntly] s'est rendu fort difficile, cest affaire-là n'est pas si fort en sa disposition qu'i la puisse mettre entre les mains de Monsieur de Richemont pour y mettre qui y voudra. Je verré son Eminence là-dessus et luy tesmoigneré l'estime que vous faites de sa personne. J'ose desjà vous asseurer que, quand vous desireré quelque employ en France, vous l'aurez tel que le sçauriés souhaitter. Je vous en escriré plus particulièrement quand je sçauré voz sentimens, soit par voz lettres ou par Monsieur le Conte d'Irouin [Irvine], et me contenteré par celle-cy de vous asseurer que je suis, Monsieur, vostre très-humble serviteur,

LAFERTÉ.

A PARIS, ce dernière Octobre 1642.

Je vous supplié d'asseurer Monsieur le Conte de Paleremo [Balmerino?] que je suis son très-humble serviteur.

A Monsieur, Monsieur le Conte de Lodiune.

[1642]
December 19.

JOHN, LORD BALMERINO, to the EARL OF ANCRAM.

MY NOBLE LORD, I will not wrong the shorte tyme my Lord your Son will haue to stay with yow, with a long letter, since he can in few wordis relat the conditione of your freindis and our affaireis heere. If it please God to prosper him in the message hee carrieth,¹ as hee

¹ Great complaints were at this time made regarding encroachments upon the privileges long enjoyed by the Scots resident in France, and the Earl of Lothian was

1642.]

Earls of Ancram and Lothian.

141

hath blest all his former endeavouris, I hope wee shall haue better
occasione hereafter to entertain our former correspondence, and so
without *sans ceremonie*, I am, your Lordship's faithfull freind and
fervand,

BALMERINOC.

EDINBURGH, 19 Decembris [1642].

For my verie honorable good Lord
the Earle of Ancram, &c.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

1642
December 29.

MY LORD, I knowe not what hath become of the letters I have
written to your Lordship; but I have not seene any from yow these
fix weekes or two months, and I knowe not whither your Lordship
yett knowes of the journey the Counsell of Scotland have apoynted me
to make, nor will I nowe say any thing in't, but that, God willing, I
intend to waitt vpon your Lordship vpon the 2 or 3 of January; for I
am come this length but flowely, and vpon my oune horfes, foe that
nowe they are foe tyred that I will be three ryding days att least
betwixt this and London. I have sent this bearer to provide lodgings
for me. I can say noe more for the present, but that I am, my Lord,
your most lovinge and most obedient Sonne,

LOTHIAN.

GRANTHAM, the 29 December 1642.¹

For the right honorable
my very good Lord the Earle of Ancram,
Gentleman of his Majestie's bedchamber.

appointed by the Scottish Council to proceed thither to obtain redrefs. Before
leaving, he submitted his Instructions to the King, who caused them to be issued
in his own name, judging "he had no reason to allow this precedent of his subjects
instructing his agents to foreign Courts." (Burnet's *Memoirs of the Duke of Hamilton*,
etc. Lond. 1677, pp. 202, 203.) These Instructions are printed on the next page,
from a contemporary copy.

¹ This letter in the original is dated 1629, but the day of the month has evidently
been substituted for the last 2 figures of the year, as neither the titles of Lothian nor
Ancram had at that time been conferred.

1643²
January 10.

C. R. INSTRUCTIONS FOR OUR RIGHT TRUSTY AND RIGHT WEL-BELOVED COUSIN AND COUNCELLOUR [WILLIAM] EARL OF LOTHIAN, whom we haue thought fitt to imploy to our deere Brother, the FRENCH KING, vpon these instructions following.¹

YOU are with all convenient diligence to repaire to the kingdome of France, and there to deliver our lettres of credence to our said deere Brother, and to put him in mind of the auncient amity and alliance between the Crownes of Scotland and France, endeavouring the continuance thereof by the renewing the auncient priuiledges of our native and auncient kingdome of Scotland, according to the particulars following :—

That noe Acts of State nor Edicts given or to be given out in France against strangers may be in force against Scottsmen, feing they are naturalized Frenchmen.

That the Company of the Garde du Corps be restored to their former priuiledges, according to the primitiue institution thereof.

That the same demand be made for the Troope of Gens d'Armes.

That the Regiment of Guard under the Earl of Irwin be entertained according to the tenor of the Capitulation, and may be presently entered in possession of the Guard, and that all other particulars be dealt for that can be obtained for the advantage of that Regiment.

That the merchants of both nations may trade in either kingdome, with the same libertys, priuiledges, and immunities, that the natives haue of that kingdome wherein they trade, without prejudice of any priuiledge enjoyed by the Scottish merchants in Normandy, which are more than the priuiledges enjoyed by the natives themselves.

You are likewise to vrge that the Marquis of Hamilton and his

¹ These Instructions are transcribed from the copy in the British Museum. (Additional MSS., 15,856, page 10.)

successors may be put in the possession of the Dutchy of Chattleraut, with the honor and dignity thereof, according to the Patent and Rights made to his predecessors therevpon.

You shall also shew that, according to the former alliance betwixt the two Kingdomes, all Frenchmen shall haue the same libertys and priuiledges in our kingdome of Scotland as Scotsmen haue.

When any recreuits shalbe desired from our kingdome of Scotland to the Company of the Garde du Corps, Gens d'Armes, and Regiment of Guards, you shall declare that they shall haue liberty of levying thereof in our said kingdome, with the best assistance of our nation for that effect, and further warrant graunted for such other levies or recreuts of entertained Regiments, and, namely, that of the Lord James Douglas, as they shall desire, the condition of our said kingdome being such as may permit the same.

Lastly, you are to vse your best diligence for procuring a speedy dispatch in this busines, in which you are to hold yourself strictly to your instructions, neither omitting nor adding therevnto, but as you shall receiue further order from vs or our pleasure signified by one of our secretaries; and in the meane time you are to giue frequent advertisements of your proceedings either to our self or to any of our secretaries attending our person, and no other: And as sone as you shall haue finished the busines, you are to make your speedy returne to our person, wherefoever you shall vnderstand of our residence.
10^o Jan. 1642.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

164²₃

January 17.

MY LORD, I have sent this bearer to bring my horses to this end of the Toune. I intend, God-willing, to parte to morrow very early. I have dedicatted this day to my dispatch for Scotland. If your Lordship might spare one of your groomes, I would take him at least to Rye, maybe Dover. I have ane bay gelding will not be vnfit for

your Lordship. I have intended of late to have your old bag Cripple. When I have these some many I will take of these I have, I will leave the rest to your Lordship. They may be of some use.—I rest, my Lord, your most loving and most obedient Sonne.

LONDON.

LONDON, the 19 January 1643.

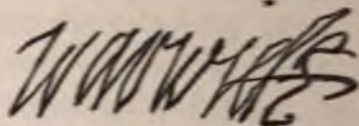
For the Duke of Lancaster's Use.

146
January 20.

RECEIVED, EARL OF WARWICK, to the EARL OF LOUTHEN.

WORTHAMPTON, I shall wish you all happiness, and a good voyage, and a fair wind, and a speedy returne. I have sent your Lordship here inclosed a letter to my Vice Admirall to give your Lordship a ship for your late conveying over sea.¹ Your best way will be to goe to the Downes and take shipping there for Deep or Callais, and not to Rye; the winds hanging as they doe, it will be very uncertaine getting to Rye by any of our shippes. Thus, with my humblest seruis to your Lordship, I rest, your Lordship's most humble Seruant,

18 of January 1643.



For his Majestie's speciall affaires,
To my very good Lord the Earle of Louthen,
at the Crowne at Rochester.

Post halft,
halft,
halft,

WORTHAMPTON, at 5 at night, this 18 of January.

¹ The Earl of Warwick was at this time Lord High Admiral of England.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

1643²
January 21.

MY LORD, I hope this day once we shalbe aboorde. I can write nothing els from this place. I did what I could to put forward your Lordship's busines before I came away. The Earle Lindefay will goe ovr with it. I fend backe three of my horses, futch as they are, and take forward two of your Lordship's and your groome Douglas. I can from this place say noe more butt thatt I am, my Lord, your most lovinge and most obedient Sonne,

LOTHIAN.

DOVER, the 21 January 1643².

For the right honorable

my very good Lord the Earle of Ancram,
Gentleman of his Majestie's bedchamber at London.

The COUNTESS OF LOTHIAN to the EARL OF ANCRAM.

1643
April 20.

MY LORD, I hop your Lordship will pardon me that I doe not often wryt, when ye consider the tymes that allowes not saff passage to letters; yet I hazred to wryt this letter by this beirrer, in which I take not vponn me to advyse your Lordship any wayes in this purpos I wryt of, leauing that to your owne way; bot only now for my husbands absence, ventis my privatt thoughts, which I fuld be loath to vtter bot to thos I haue an extreme greatt trust into; and vnto whom morr then your Lordship can I ow that trust? Your Lordship hath heard of the Lord Ker's death. His lady is now brought to bed of a fourth doughter. Ther ar many reportis going that my Lord Roxburgh is about to settill his estaitt. Your Lordship knoweth my interest in that houle. I haue the honour to be comd theroff. My father, gif he wer alyve, wer the narrest air maill and of tallie to [it]. My sonne's narrest in bloode of any (of the maill Kers). These, with many other reafones, warrily and discretly, and with a great dale of

tendernes, being schowne to my Lord of Roxburgh and his lady by some nobile freind of note and respect, might possible be intertain'd be them as a good motioun to entail that leving to my sonnes, they matching with my Lord Keris. daughters,¹ the conditionn being such that the honor and dignitie of the house being kept vp in the same titilles and precedencie. My Lord, I haue taken vponn me to let your Lordship know my wishe, which your Lordship may be pleasitt to think vponn, and take the most advysitt way in it. Committing all successe to God, who deallis things hear at his pleasur, I rest, your Lordship's most affectionat Daughter and humble seruant,

ANNE KERR.

NEWBATLE, 20 Apraile 1643.

To the right honorabl
my very good Lord the Earle of Ancram, &c.

1643
May 6.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, I wrote laft weake to your Lordship, and sent inclosed a letter for the Earle of Lanericke,² which would give his Majestie account what I was doing heare. I desired your Lordship would fend it to the Earle of Lindefay, that by his adrefs it might goe to

¹ Henry, Lord Kerr, eldest surviving son of the Earl of Roxburgh, married Lady Margaret Hay, daughter of William, Earl of Erroll. He died in 1643, and by a new charter obtained in 1646, the title and estates were entailed on Sir William Drummond, on condition that he married his cousin Jean, eldest daughter of the deceased Lord Kerr.

² William, second Duke of Hamilton, was born in 1616, educated at Glasgow, and created a Peer, by the title of Earl of Lanerick (or Lanark), by Charles I., at York, in 1639. He succeeded his eldest brother, James, Duke of Hamilton, who died without issue in 1649; and he himself died of wounds received at the battle of Worcester in September 1651. It is scarcely necessary to add, that *The Memoires of James and William, Dukes of Hamilton*, by Bishop Burnet, 1677, contains many important original letters and historical documents, preserved among the family archives at Hamilton.

him. I doe the same nowe, if he be in London or att Oxford. If he be gone into Scotland your Lordship wilbe pleased to fend it to the Courte, and desire, by Sir Phillip Stapleton, Sir William Hermine [Armyne] or Mr. Hampden, meanes that it may goe vnopned to Oxford, or where the Kyng is. For, vpon my credite (which I would not loofe with them), there is nothing in it for there differvice, nothing but a bare account in the first, of having donne nothing heare, for a fewe priuiledges belongs to our nation; and in this seconde, that I am beginning to be hearde; that I have beane with the Secretarie and one of the Ministers of Estate, Monsieur de Chavigny, yesterday, and am againe on Monday next, the ii. of this, to be with him to expose what I have to fay. I write this to your Lordship a day or two before the poste partes from hence, because to morrowe I will lett bloode, and the days after take phisicke, before this cold spring end. Dr. Davison¹ tells me he shall fend some things to your Lordship. I can say noe more, but that I am, my Lord, your most lovinge and most obedient Sonne,

LOTHIAN.

PARIS, the 6 May 1643.

For the right honorable
my very good Lord the Earle of Ancram, &c.

LORD JAMES DOUGLAS² to the EARL OF LOTHIAN.

1643
May 27.

MY LORD, It hath plesid the King to commend my regiment to goe and serue in Itallie, for vich armie ve ar to pert to morrow. Our

¹ William Davison, M.D., a native of Scotland, practised as a physician in Paris, and had the superintendence of the *Jardin des Plantes*, with the title of *Médecin du Roi*. He afterwards established himself in Poland; and was the author of various works on Chemistry, or rather Alchemy, according to the doctrines of Paracelsus.

² Lord James Douglas, second son of William, first Marquis of Douglas, entered the French service, and greatly distinguished himself. He was killed at the siege of Douay, October 21, 1655.

Captens and I haue thocht fitting, for the standing of this regiment, to send this berar, Captain Rutherford, to represent to the Ministers of State the grit nessesite ve ar in, and lykuays to implore your Lordship's fauorable assistance in quhat concerns our standing. He vill schaw your Lordship our just desyrs. Your Lordship vill oblige a number of very brave gentlemen, and I, quho are the laist in the quholl Regiment, schall desyre nothing more then the occasion to testeffie my self your Lordship's most humble seruitur,

J. DOUGLAS.

CHALON, ce 27 de May, 1643.

A Monsieur, Monsieur le Comte de Louthian.

[1643
June.]

THOMAS, EARL OF HADDINGTON,¹ to the EARL OF LOTHIAN.

RIGHT HONORABLE, I haue taken the boldnes to troble your Lordship at this tyme becaus of a proposition that was made to me by Mr. de Chastillon and Madame, who, when they harde of the good successe of your Lordship's voyage and of the favorable answer your Lordship hes gotten heir, touching the places and priuiledges that did before belong to Scotsmen, which we hear is of new re-establisch'd to them again, therefore they urge that I shall seike the place of the Captaine of the Scots Gairde of fyve and twentie, commonly called *la Garde de Manche*. My Lord, it is a thing that was propon'd to me long ago, bot wherto I wold never set my mynd untill they did putt me upon it, and yet much lesse, if I had not affurence that your Lordship hes no mynd therto, for verie shortly since, one assured me therof who tooke upon him to know it verie well; once, indeid, I hard that your Lordship had such a mynd, which made me not aime therat, as I shall never at any, wherto your Lordship pretends. My Lord, thogh so be that it be not granted that that place shall be to

¹ See Note, p. 150.

Scotsmen, yet Mr. de Chastillon thinks this may be easilie doone; for he is confident the Queine wold not refuse him that, if he should aske it at hir (which he will doe when he coms to Paris), bot á great deal more if your Lordship wold be pleas'd to speake to hir about it, and to Cardinal Mazarin. This will be, my Lord, a great favour, wherto nothing can oblidge your Lordship, faue only out of your goodnes and courtesie, wherof I haue alreadie so many provs, that I am bound to show by effect, at evrie occasion, better then I can doe by any words. Right honorable, your Lordship's most affectionat and humble servant,

HADINGTON.

I did hear that your Lordship had a mynd to come to Chastillon if your affairs could permitte, and Mr. and Madame de Chastillon assured me that they wold be exceeding glad to haue the hapines to se your Lordship befor ye parted, and for my oun part I shall be infinitely glad to haue that honnour.

A Monsieur, Monsieur le Comte de Loudian, à Paris.

From ANNABELLA, COUNTESS (DOWAGER) OF LOTHIAN, to the
EARL OF ANCRAM.

[1643]
July 23.

MY LORD AND DEARE BROTHER, If I had wreten to you this long tyme, it had bene bot sad newes of our Sone's sicknes, and I confes I had him in my armes once that I feared ye should neuer haue fene him, bot the grace of God is nearer nor the faire euin, and I trust he is spaired now that we may goe before him, who wold taste bot little comfort if he wer gone; but the will of God be done, and he will doe it, tho' we had sworne the contraire. To returne to vs, it needs not many words; I am just the same ye haue euer left and found me, and if I knew to show it bettre I wold to all the world as

well as to yow, witnes how reallie I am your Lo. most affectionat
Sifter and feruante,

ANNABELLA LOTHIANE.

PARIS, $\frac{23}{13}$ 7th.

For the right hono^{ble} the Earle of Ancram.

1643
August 21.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, By the last I wrote to your Lordship, some three
weakes since, I sayd I was neare a close in my buffines, and that I
was going to Chastillon to the Earl of Haddington's marriage.¹ My
buffines is closed, but I was hinder'd from going that journey by a
feaver. I strugled with it a whyle, but att last it layd me doune.
Nowe, I thanke God, I have beane vp againe these 4 or 5 days, but
something weake with blood-letting and diett. I hope to begin my
journey, God willing, shortly. I purpose to come by London. Your
Lordship wilbe pleased to make gett me a lodging where yow thinke
most convenient. I will come only with two three. The rest are
going to Scotland att nearest. I should be glade to knowe where
the King is. I wish he be noe farther then Oxford. If he be att
Bristow, as we heare, it wilbe farre out my way. I can att this
tyme say noe more, but that I am, my Lord, your most lovinge and
most obedient Sonne,

LOTHIAN.

PARIS, the 21 Agust 1643.

To the right honorable

my very good Lord the Earle of Ancram,
Gentleman of his Majestie's bedchamber att London.

From my Lord Lothian,

recomendit to the courtesie of Mr. William Thomfone,
Threforier for the Scottish armie presentlie in Ireland.

¹ Thomas, third Earl of Haddington, married Henrietta de Coligny, eldest daughter of Gaspard, Comte de Coligny, 8th August 1643. He died, while still under age, without issue, 8th February 1645.



1643.]

Earls of Ancram and Lothian.

151

The COUNTESS OF LOTHIAN to the EARL OF ANCRAM.

1643
August 22.

MY LORD, Ye most giue me lieue to trubl yow with this. This day I haue got such news as hath both afrightit me and giuen me caues to prais God for that deliueranc our neare frinds hath had. I most desire your Lordship to giue me notice how they ar, espically thos I haue most interest, for I cannot be fully satisfied vnles I haue it from your Lordship or himself, which I desire earnestly to heir, and haue it onder with his own hand, otherwys I cannot be content. When I wes euery hour loken for him at hom, that hath bein so long away, I got this sad news to help me to amend of great seiknes I haue had since I was brought to bed. Bot I recomend him, yow, and all that belongs to vs, to the protection of the Almighty, and rests, your Lordships humbl Daughter and seruant,

ANNE KERR.

NEWBATLE, the 22 Agust 1643.

To the right honorable
the Earle of Ancrame—thes.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

1643
Sept. 27.

MY LORD, Wearie and fore with a shorte jorney, I tooke the nearest place I knewe. Nowe I am in Mr. Moorheads att the Palatines Heade. I shall waitt vpon your Lordship foe soone as I can sturr abroad. This is only to lett your Lordship knowe where I am.—I rest, my Lord, your most lovinge and most obedient Sonne,

LOTHIAN.

LONDON, the 27 September 1643.

To the right honorable
my very good Lord the Earle of Ancrame,
Gentleman of his Majestie's bedchamber—these.

1643
October 3.

COLONEL THOMSON¹ to the EARL OF LOTHIAN.

MY LORD, I haupe your Lordship fauely ariuet at Dippe and praye God to bleffe your journie, and tack you back in good helthe to Scotland. Yesterday I recuet the incloyset from Paris, and yesternicht did ariue in this toun Monsieur de Boie? . . . quom is going to Scotland, sent by the King.² He intendis to passe in the ship that your Lordship fende his bagage, and is to pairt this daye for Dippe. He came to visite me, and vas very defayrous to kenaw of me if your Lordship vald goe direclie to Scotland, saying that of the general pepel he vas tauld that you should passe by Ingeland, bot that soume chiffe Ministres of Stait tauld him that you vald goe direclie to Scotland, and that thay could not beliuue that you vald goe and find the King, bot I did assure him of the contrary, in so far as I did kenaw. He is a man not very cloffe for a states man, and is very essy in a short spece to kenaw alle his confection, hauing schauet me alle his expeditioun, and tauld me the subiect of his voyage, hauing ordre not to goe to Ingeland bot direclie for Scotland, carien ane lettre of the King, quhairof the subscription is "à nos tres cher et grande amys les gens tenenn le confort de nostre cher frere ley roy d'Escoffe." He caries tua lettres from Monsieur le Dux d'Orleans; the ane for the Marquis of Hamilton, the vther for the Marquis of Argille. He hathe the copie of the propofi-

¹ "Thomas Thomson, Seigneur du Manoir, colonel d'un régiment d'infanterie écossais, capitaine et premier exempt de la garde écossaise." (*Les Écossais en France*, par Francisque-Michel, vol. ii. p. 317.)

² Baillie, in a letter to Mr. William Spang, November 17, 1643, writes, "A little Monsieur, some agent with letters from the Queen, hes offered to our Counsell the renovation of that League whereof Louthian was treating; but requires us not to covenant with the Parliament of England, and to annull the Acts of our Generall Assemblée against the Papists in the Scottish Regiments in France, to cause set the Earl of Antrim free. He stomacks that he has not a quick answer. The man seems to be of a small accompt. He is delayed till Louthian come." (*Letters*, vol. ii. p. 105.)

tioune and anfore that your Lordship maid to the King, which he did shauie me undefaying it : he told me his chif erand is to regal your Lordship comming to France, and to assure the Scots of alle sorte of fauour, courtesie, and frindship of the Frenche, defaying the remaining of the aliaunce, and also to relese the Erle of Antroum, vnder promis quhairof the Quene of France shal passe her vord that he shal not carie the armes agains the contrie of Scotland, and estimes that he shal obtin it, seing that the Parlement of Ingeland hes relaesit the Countess Derby at the Quene's defayre. He intendes also to hinder any assistance by the Scots to the Parlement, and of his negociatiounes he is to goe and shauie them to the Conte de Harcourt, quom is partit from Paris by vaye of Callis in dilligence. He belies that the Consel of Scotland ville be very satisfiet of the ansurre giuen to your Lordship, and if thay should tack faire vordes for redy monnay, he is ane gentelman of ane ancient housse of basse Normandie. I intreite your Lordship to continu toward me your fauour ; and in caiffe any think passe quhairin I may be preferet, ayther of the lieutenant or ensigne place of the Gards, your Lordship ville be pleset to remembre of me. I praye pardoune my bauldnes, that I tack to troubel you, but the many-fauld courtesies and faoures quhairof you haue bein pleset to honnour me, giues me the liberte thairof. Bot in quat I, or any that perteins to me, can or shal haue any power to render you any seruice, it shal be effectuall vith joye, and shal estime it to [be] ane grit honnour. I ville yet intrite your Lordship to tack the paynes quich you shal vrait to Monsieur de le Ferte to recommend me to him, and to fuporte me in caiffe Monsieur de Chandernier vald vrang me out of reson or pourpos, for your Lordship kenaues that he is michtelie incensit againes me.

I haue recevet alle your Lordship's bookes from the printers. Thay shal this day be inbarket and sent to Dippe. I shal reffive the tua sates of hininges and the carpetes. I haue giuen ordre to mack the tuelf chaires, tua fauteiles, and sax falding stulles, and carpets of moncade. I intrite your Lordship to aduiffe me if you defayre the chaires to haue

the moncade nellit to the chaires with clondore, or if the couering shal be maid lausse, as thos vthers was maid in Paris for your *lit de campagne*. Thay maye be taken out of the chaires quen thay pleze : for me, I think them better lausse then fassen, bot conforme to your Lordship's defayre thay shal be maid. My Lord Yruin goes to Germanie with his regiment, that is not to fend them back to Paris to enter in guard befaid the King. So, praying God for the good helthe and prosperite of your Lordship, I shal continue so long as I liue, my Lord, your most humble and most obedient seruiteur to be euer commandet,

THOMSON.

ROUEN, the 3 of October 1643.

The richt honorable and potent good Lord,
my Lord Erle of Lothian, at Dippe.

1643
November 1.

The COUNTESS OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, I thank your Lordship for that cair had to acquent me of my husband retourn, which, I thank God, wes recouered of a greit sicknes in France; bot when he becam so wel to com to Ingland, I expect he fuld com hom the hee way. Trewly, nather I nor any hear wold a giuen him that advys to such a interpris, nor wold many that wes wel efectit ther, or loued him, wold giue hime that aduis to cast him self in such a feen dainger as he hath put himself into. It is trew God may preferue him, and I hop he wil, yet we fuld not tempt him wher ther wes no nefesatie. Yow most giue me liue to complin. My los is mor nor any can claim to, and my interest in him is mor nor all the world, so that none by him hath lookt with thos eys to his dainger as my self, albeit I wold be very cairful and tender of his honor if it had layen on it, bot it was thought not nefasarie, that jurnay I maen to Oxford. I hop your Lordship will perswad him to take him self to his contrie and hom, for when one hath trayed al forts of liff, it wilbe fond the best and most contentment at the end,

to liue as they ought with wiff and children. With the help of God, I shal striue to perform that my dewtie to my children; bot it will not frie him for not performing his part both to them and me. I mein so much absenc. My Lord, I hop ye dout not of my part, so far as belongs to me, ather in one way or other, which wes my greatest desir to haue him pleased. As for his affairs, trewly it cannot be expectet they can goe so well that hath not luk to them thes many years for publick imployment; if he will take vp himself, I dout not bot God is maken vp for his and my children. This is all I will expres of this. So if your Lordship, acordin to your intention and promis, com to see your frinds and children hear, I will prefoom to say, in the Scots fashion, ye shal be welcom. Ye will pardon me for trubling yow with so much descurs; bot when ye consider with what effectiō and feare I cannot show, ye will take it as from your Lordship's effectiōnat Daughter and humbl seruant,

ANNE KERR.

NEWBATLE, the first of Nouember 1643.

To the right honorable my very good Lord
the Earle off Angram.

The EARL OF ANCRAM to the EARL OF LOTHIAN.

1643
December 6.

I GOTT the lettre yow sent me from Oxford when yow pairted from it.¹ It came to me the last day of November. Yow myght easily think it affects me, as I am naturally bound, and yet I shall carye my self as discreetly carefull of yow as God will give me grace, wheroff yow shall heare by all the oportunityes I can fynde. I do not heare there is any change in your famely, nor is there any in myne, God be thanked.

¹ "My Lord Louthian, against the law of nations, and without anie cause we can yet hear of, after some weeks restraint at Oxford, is now sent prisoner to the Castle of Bristol." (Baillie's *Letters and Journals*, vol. ii. pp. 115, 116.)

All prayeing for yow, especially for your health, which is the present most especiall care of your most loving Father,

6 December 1643.

Ancram

Our mutuall affection must not be judged now by our frequent intercourse of lettres; but I shall misse no occasion which I think may get thoroughe to yow; yow will do the lyke.

For the Earle of Lothiane in Bristoll.

1643
December 14.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, I have resaved this day by a trumpetter some lettres from my Lord Maitland. I wondered that I found not a lyne vnder your Lordship's hand, for it is much contentment to me, when I cannot fie the persones of those I desyre to fie, to fie their hands and names at leaste. I have written latelie to your Lordship, and now I can adde litle but to say that the course of phisicke that I wes necesitat to enter into before that lettre wes written, I ame yet in it. I have onely this desyre to your Lordship that yow wilbe pleased to deale with his Majestie your maister, whome yow have so long and faithfully served, that I may be permitted to be prifoner at your house at Kew, where I may be sicke or dye, if it shall so please God, and have in either of these, the comforte of my freinds. I have many thinges in my privat affaires to order wherein your Lordship wilbe concerned, and my children. Whatever offence I have done or comitted against his Majesty, which I yet know not, yet your Lordship, nor they, have done none. If it shalbe said I will not be in surety their, and may escape or have communicatione with these his Majesty wolde not I shoulde, I can only say, give yow assureance I shall doe neither the one nor the other. And I had rather dye then that you should fall in your Maister's displeafour for me. The aire is so ill heere, and I take so

ill with it, and the litle roome and accomodatione I have, that I can not holde out long heere.¹ I doe beleive his Majestie layes nothing done to my charge. What I may doe is all there. If I had alfe much will to doe ill as is imagined, yet I shall not be able. I am forced to fend this vnder another hand then my owne, because it is bound vp yet. I should have writte no other purpofe neither, nor have I more to say, but that I ame, my Lord, your most lovinge and most obedient Sonne,

LOTHIAN.

BRISTOLL CASTLE, the 14 of December 1643.

Your Lordship wilbe pleased to fend this inclosed lettre as it is directed. The Lord Maitland will give it the best adrefse.

To the right honorable

my very good Lord the Earle of Ancrame,
Gentleman of his Majestie's bedchamber at London.

¹ Baillie gives the following account of the severity of Lord Lothian's imprisonment:—"As for the State, we were moved with the injurie done to Louthian at Oxford, that when all calumnies were clearlie discuffed to his Majestie's full contentment, and he expected certainlie to be dispatched to-morrow for Scotland, coming, according to appointment, to kifs the King's hands, he is pressed to ane oath not to bear armes without exprefs direction from his Majestie. When herein he alleadged conscience, he is defyred to advyse while night; bot before noon he getts a warrand to goe prisoner to Bristoll Castle, upon the King's meer pleasure. When he came hither, he had bot one narrow rounge allotted to him, and that of bare walls, to be plenished at his cost, with furniture, all to be left to his jaylor. At nine o'clock he was locked in his alone, without his page, till the morning; being ficklie before, melancholie encreased his disease; so he took physick at night. When it began most to work, no man was permitted to be with him. This barbarous usage was lyke to cost him his life; and the word went that he was dead. When his man came to Oxforde, to informe the King of his danger, the Earle of Forth, Traquaire, and William Murray, were his good friends. The King disavowed any fuch warrant from himselfe to keep him so straitlie; and gave order that he should have the libertie of the whole towne." (*Letters*, vol. ii. p. 124.) The date of Baillie's letter is January 1, 1644. The rigour of his imprisonment seems not to have been relaxed, judging from the Earl's letter to his wife, dated February 10, 1644.

1643
December 26.

The COUNTESS OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, When I wret laft to your Lordship I had not hard of my husband his detainment at Oxford at the furft. Altho I had that fam ocaſion to a wret againe to your Lordſhip, I committed all to the berrer, Doct̃er Lightone,¹ who culd tell yow my cas and the poſter I was in, with ſuch a multitud of griſſs and fears, which ſims ther was too much cauſ, which, as I apprehended at the begining, it is fallen out. Seing it hath pleaſed God to try vs all for him, thoſ who hath bein the inſtruments to perſuad him to that jurnay, they may haue a griued harte for wronging both and the prejudis to his cuntrie and frinds, and dainger to him ſelf, for I kno he is not of ſo ſtuborn an diſpoſition bot he wold ben perſuaded to a com hom. If not, your Lordſhip might a commanded him. So, if your Lordſhip haue had any hand in it, I humbly intreat, as euer ye wold ſtuddy the moſt acſceptableſt favour to me in the earth, vſe ſuch means as can let my husband be fet frie and ſent home, who ſuffers ſo onjuſtly by thoſ whom, may bee, will repent when they can not mend it or it be long. The Cunſal leter was ſlighted with a complament, bot Scotland ſhal get littel reſt be me till they ingadg them ſelfs mor and mor, which they ar ſo ſenſabel of his ſuferings as if it war every on of them ſelfs. I truſt in God they will take ſuch curs and vſe ſuch means as can be thought fitteſt for him. I truſt the Lord ſhall kep him from the moſt ill of his enimies. I only greatlyeſt feare his health. God uphold him now in

¹ Dr. Alexander Leighton, father of the celebrated Archbishop, was educated at St. Andrews, and afterwards at Leyden, where he obtained the degree of Doctor of Medicine. For ſome time he filled the office of miniſter to the Scottiſh Church at Utrecht, but reſigned on account of ſome differences regarding the holidays of the Church. But he is chiefly remarkable for the cruel perſecution to which he was ſubjected, eſpecially on account of his work entitled, *An Appeal to the Parliament; or, Sion's Plea againſt the Prelacie* [1628]. His releaſe from imprifonment was effected during the ſitting of the Long Parliament in 1641, in which year his ſon was ſettled as miniſter in the pariſh of Newbattle. He died in 1644.

the day of his trubl, and in his time deliver him. It is for us to vse the means, and it suld not be negleacted. I thought to a com vp to London that I might bin so much neirer him, bot my frinds will not give me liue, for hazerd to me in the jurnay, which willingly I wold undertaken at whatfoevere a reatt. Bot, seing I cannot get liue, I hop ther shal be a gud number of frinds befor me; and if my husband be not sent hom, I shal, with the healp of God, com be sea, asoon as I can hazard, for I had never my fut on the sea, and if I might, I reather goe throw manie armies be land as on myl be sea.—I rest your Lordship's effecttionat Doughter, and humble seruant,

ANNE KERR.

NEWBATTLE, the 26 December 1643.

To the right honorable
the Earle of Ankrame, at London.

THOMAS HALYBURTON to the EARL OF LOTHIAN.

164³₄
January 9.

RIGHT HONORABELL, Hoping thes letters will sufficiently excuse my long stay till now, and being commandit by your Lordship's freinds heire to stay longer yet for further dispaches, I was advysed to send, by this bearer, this cloak-bag for the Deputy-Governour, Sir Francis Haulye, to Bristol, accompanied with thes opin letters redde heare, wherein is found nothing prejudicial to any. Two or thrie dayes hence, my Lord Traquaire intends to be with your Lordship, at which tyme I hope he will (as he hes promised) excuse the neglect off your Lordship's most humble and obedient fervant,

THO. HALYBURTON.

OXFOURD, the 9th off Jan. 164³₄.

For the Right honorabell his Lord and Maister,
the Earl of Lothian, Bristol.

1644
[January.]

PETITION from the COMMITTEE OF ESTATES to KING CHARLES THE
FIRST, for the release of the EARL OF LOTHIAN.

MOST SACRED SOVERAING, Having hard diverse rumerrs of the Erle Lothean's restraint, and having this day receaved a petitione from his Lady in his behalfe, althowgh the confidenc we have of your Majestie's royall justice will not suffer vs to give beleafe to any suche surmise, yett the dewtie wee owe to your Majestie, and respect to the just liberties and freedom of this Kingdom, dothe move vs to put yowr Majestie in remembranc, that, as the said Erle his imployment and negotiatione was for the priveledg and immunityties which yowr Majestie's subjects of this contry did injoy in France, and the Alliance betwixt the Kingdoms, so was hee, by your Majestie's spetiall warrend and awthortie, direct from the Counsell, who are intrusted with the administration and government of affairs for the good and peac of this kingdom; and for further demonstration of his dewtie and of the respects of your Majestie's Counsell, from whenc hee was sent, hee made his adresse befor his going to France, to receave yowr Majestie's commandements, and vpon his returne com to give yowr Majestie ane account of his negociation, then which wee knew no way could better witnes the high regard wee have of yowr Majestie's royall awthortie, without dirogating from the lawfull priveledgs and freedom of this yowr Majestie's antient and native Kingdom, which being taken in yowr Majestie's consideration, and pondering in the ballance of yowr rightews jugment, how much all kingdoms and staits are interest in the fastie or fredom of ther Legats or Comissioners, whither sent by subjects to ther owen King or from on Kingdom to ane other, wee trust that yowr Majestie will not give place to any suggestions or obligwis which may so much reflect vpon yowr Majestie's honor and justice, or give just cawse of greiff or discontent to yowr Majestie's good subjects, who cannot bot interprett what is done to ther Legatt or Comissioner to be done to ther Stait heir; and give hee heath com-

mitted anything (as wee hoyp hee heath not), during the time of his negociatione, agains yowr Majestie or the Contrie, the fundamental laws and the independanc of this Kingdom, and the practice of former tims, doe reqwayr, that hee be tryed and judged att hom, in a legall way by the ordinarie gudicatorie of this land, which maks vs ernesly intreat for his libertie and fastie from all restraint (give any be) that hee may returne and mak knownen to vs the effect of his imployment; and we are confident that this our humble and just defys, which is so fuitable to the law of nations, to the fredom of this kingdom, and to yowr Majestie's justice, will not be denyed to yowr Majestie's most humble and faithfull subjects and fervants.

Endorsed—Copy of Petition of Committee of Estates
of Scotland, to Charles I., in favor of William,
Earl of Lothian.

JOHN, EARL OF TRAQUAIR, to the EARL OF ANCRAM.

[1644]
January 22.

MY LORD, The petitione quhich your Lordship sent to Oxfurd in favores of your Lordship's sonne, the Earle of Lothiane, was presented to his Majestie: he refaved it gracioullie, and quhat hes followed ther-upon is foe weell knawen to this bearer, that I fall not nead troubill your Lordship with any thing concernes that busines; and be confident that nothing fall be wanting quhich can cum within the compas of my powar, to witnes my thankfulnes to him, and that I am your Lordship's faithfull freind and fervand,

TRAQUAIRE.

OXFURD, January 22 [1644].

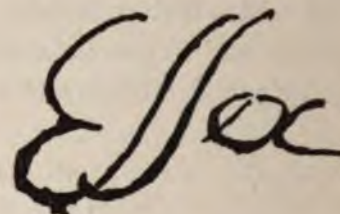
For the right honorable the Earle of Ancrome.

164³₄
February 1.

PASS from the EARL OF ESSEX to THOMAS HALYBURTON.

LET the Bearer heirof, Mr. Thomas Halyburton (servant to the Earle of Lothian), with one servant and two horses, passe your guards from London to Oxford, and from thence to Bristoll, and to returne backe againe without interruptione, provided they carry no letters with them prejudiciall to the State. Date, 1 February 164³₄.

To all those whom it may concerne.



164³₄
February 10.

The EARL OF LoTHIAN to the EARL OF ANCRAM.

MY LORD, I receaved yesterday your letter of the 2 February and what was inclosed, with which yet I fynde noe effects of, for Mr. Hallyburtone, after nyne weakes stay, to me as wife as he went from me. Soe I am beatten from worldly meanes which I vsed but (as I thought I was bound) as the ordinarie meanes. I thinke noe more of that. I have donne my deutie. I rest vpon God. Jhon Ruthersford, may be, wilbe the bearer of this. Whether he be or not, he carieth himself well and foberly. If he come, lett him returne with any thing come to me. I shall not seeke another barber then him your Lordship writes yow had bespoken. I desire one comely, and of a reasonable size, that things of myne may fitt him. What any mans parte have beane concerning me, troubles me not; God's will be donne. I relye vpon him. I will nowe nether write to my lady nor brothers nor sisters. Let them see my love and service in these. I see noe appearance I shall in haste have vse of any horse or coach: patience I will only neade. All I desire nowe is but a chamber

where I might have ten paces of a walke. I am made giddie with turning in narrowe circle. I am still phyfiking with small successe. I am opprest with a continuall paine vpon my right side, about or vpon my liver. It takes away my sleepe, and it is impossible for me to rest never soe litle vpon that side. Our soules are still boaring for a passage out of a straitte prisson, and it fyndes it att some place or other. God's wilbe donne with, my Lord, your most lovinge and most obedient Sonne,

LOTHIAN.

BRISTOLL, the 10 February 164³/₄.

I should be glade to knowe that my Lord Somerfett gott the letter I wrote to him from Oxford. I pray your Lordship remember my humble service to him.

The right honorable
my very good Lord the Earle of Ancram,
Gentleman of his Majestie's bedchamber att London.

The EARL OF LOTHIAN to the COUNTESS OF LOTHIAN.

164³/₄
February 10.

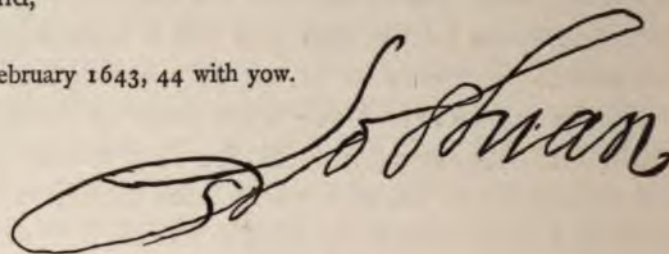
SWEATE HEART, I can not always gett occasions to write to yow att the distance and in the condition I am in, soe I desire yow to impute it to nothing else yow heare not oftner from me as yow have donne formerly. I may say backe againe I heare as feldome from yow, for since I have beane in the posture I am in, I have but gotten three letters from yow—one by William Borthwicke, and other of the last October, and yesternight one of the 13 January. And these two last I will nowe answeare, for by William Borthwicke I answeare'd that he brought. It seames, by your letter of the last October, yow have not knoune the cause of my stay heare, feing yow taxe me for not coming home. Certainly, I could not a day sooner have come out of France then I did, vnles I should have left the

buffines vndone I went for : for the Kyng of France's sicknefs kept me more then 3 months there before I was heard, and the matters I propofed tooke vp, after that, neare two months ; when that was not well ended (for I gott my anfwere when I kept my chamber) I fell ficke, and out of one fickenefse into another. I was more then two months before I was well recovered (I made futch hafte homewards—more hafte then good fpeede) I came away, and tooke my journey towards the fea-side by watter, becaufe I was not able neither to travell in coach nor on horfebacke. I ftayed not eight days in London before I went to Oxford ; att my first coming thither I was detained. There I was feaven weakes, then committed priffoner to this place, where I have beane twelve weakes more. By this yow may perceive what hath kept me from home ; fo this is ane anfwere to your letter of the laft October. I have next your letter of the 13 January. That I am a priffoner (which yow fay can not be beleaved in regarde of my innocencie) is moft certaine, and in a narrowe anough one, and very well garded and looked, if three men within the litle room I am in, and two mufkettiers att the doore without, be fufficent to looke to me, befides being within a ftronge caftle, where there is a ftrong garrifoune of folders, and that within a greate toune, garifouned proportionally. If this be not anough to make a man fure [who] hath noe other armes then a penknife in ane etuy, I knowe not : notwithstanding of all this, I intreate yow be not troubled. God is ftronger then all thefe, and can deliver when and how he pleafes, and will in his oune tyme, which I waitt for and beleave. Therefore I make not hafte. All God's judgments are juft, and in faythfulnes he afflicts, the fighing of priffoners come before him, and by his greate pouer he can fave thofe apoynted for death, and can deliver from the expectation of enimies. I trust and have my refuge vnder the fhaddowe of his wings till thefe stormes paffe, and whatever befall, Heaven is as neare the Caftle of Bristoll as Newbattle ; and although I want, in the condition I am in and in any I may be in, the comfort of neareft friends, I hope the Lord will fend me the Comforter, and will proportion his confo-

lations to my troubles. Therefore, againe, in God's name, I desire yow be not troubled, nor grieved, nor impatient, but give me over friely into God's hands, whoe only can deliver me, and will, if, in his greate goodnefs and wifdome, he thinke it fitt. If he doe otherways (as his wilbe donne in earth as it is in heaven) he will abundantly fupply any want yow or my children may have in me; for in him the fatherlefs fynde mercie, and yow will a husband. I recommend the children to your care as mutch as you can, and yow and them to God: for my affaires, looke vpon them as carefully as may be. I neade not write any more to Marke Cass concerning them. I have had experience of his care, and I have written to him feverall letters alreadye, but have heard nothing from [him] againe. For my health, which yow inquire after, it is thus and foe, I am in a place where there are helpes to be had, and I make vse of them nowe and then; for the present, I am, I thanke God, as yow have feene me, and as I have beane this yeare or two, rather in a languifhing then in any greate appearing diftemper. Soe, if God will, I may put a good whyle aff thus. For money, I have beane better provided, because I did not thinke of this stoppe, I wrote to yow to make fend fome to the Lord Maytland att London for me; but I have not heard of any yett, and if a friend had not furnished me I should have had none long fince; for I have noe trust, nor friendship, nor acquaintance, in this place. Tell Liliās if she and her friends, that att another tyme have beane in this place, were nowe, it would make the tyme seame mutch shorter to me, yett I should be sorry they or any friend were heare now, as affaires goe nowe. Your letter came to me, I beleave, vnfeane on the infide, as did the other two likewise. Yett lett not that make yow thinke but it is twentie to one, others have not the fame fortune, and thefe come latestt will fynde the paffage hardestt. Leave not aff to make ane end of your building, and to make it habitable, and be carefull of my books and things came out of France. I wish I had a note of the things came, and what is come fince from Mr. Clerke, out of France, fince William Borthwicke came home with the first. I pray yow be

dilligent to gett Mr. Clerke payment according to my bands, and lett me knowe what is donne in that particular. These are noe State matters. Remember me to my friends in Newbatle. Let Margaret Faside be her particular commandatioune. God bleffe yow and your children. I recommend Anne to your particular care.—I rest, your most lovinge husband,

BRISTOLL, the 10 February 1643, 44 with yow.

A handwritten signature in dark ink, appearing to read 'John Spelman'. The signature is written in a cursive style with a large, ornate initial 'J' and a long, sweeping underline.

I have receaved the inclosed paper with your letter. It was mutch satisfaction to me, and mutch contentment in my sufferings. That yow may see I have yett hope to come, I desire yow to make Mr. Ayton dresse the vndermost chimney in the greate hall with the two pillars as he showed me the designe; but nothing els on the toppe of that, nor vpon the greate chimney. I would have the sole or harth of the chimneys taken doune as low as the flooring. I desire the chimney in my studdie to be dresse'd also according to the designe, and the harth taken doune to the floore likewise, and the fore-chamber chimney dresse'd also.

There is a clocke in my studdie, if it be not made vse of, it will spoyle. Take it out and vse it in your chamber. The fore chamber chimney likwyse, Mr. Ayton hath the designe how it should be donne. The false brace in the studdie must be funke doune proportionably to the lowring of the harth.

For the Countess of Lothian,
att Newbattle, in Scotland.

WILLIAM MORRAY to the EARL OF LOTHIAN.

1644
March 8.

MY LORD, I haue this fortnight kept this enclosed warrant, being in a continuall expectation of your full release by ane exchange for Mr. Goring, & in that respect conceauing a short remouall useles I forbore the fending [it]. Yet, being ignorant of the time & your accommodation, I thought best at last to leaue to your owne election. Traquair & I detaine your Lordship's seruant in hourly expectation of the Trumpeter's returne, & I am confident it will receaue a present dispathe, for my Wife hauing gott a passe is gone to Ham, & I am certaine will be a dilligent scollicitour. If it succeed not, I hope to preuaile for some better accommodation, according to the contents of your last letter. In the meane time I rest, your Lordship's most faithfull humble Seruant,

W. MORRAY.

Oxford, 8 Marche 1644.

JOHN, LORD BALMERINOCHE, to the EARL OF ANCRAM.

[1644]
March 11.

MY LORD, I haue kept a distance with your son ever since yow sent him to Oxfoord, becaus I loue not to write compliments in these fad tymes, nor what I write seriouſlie should be knowen to any bot our selues. I hope he wilbe so happie as not stand vpon *point d'honneur*, when his owne safety and what hee is worth to his friendis, and all hee oweth himself to, is in ballance. Therefore, I pray your Lordship hast him home where ill bairnes are best heard; and I hope by that tyme there shal be no place voide for him in our army, so as I promeis my self so much the more of his society that we may liue contented, continuen free from those perturbationes of Court and Campe, which were never much affected by your Lordship's faithful freind and seruant,

BALMERINOCHE.

EDINBURGH, xi Marche [1644].

For my verie honorable good Lord, the Earle of Ancram,
Gentleman of his Majestie's bedchamber.

[1644]
March 13.

JOHN, EARL OF TRAQUAIR, to the EARL OF ANCRAM.

MY LORD, Altho the exchange of my Lord Lothiane with C. Gowrin [Goring] hes taken more tym then was wifched, yit, since now all difficulteis feam to be remoued, it refts only to returne the resolutione craued be this meffage, with as muche diligence as may be. And in this, as in every thing els, I fall wifche your Lordship all contentment, and fall euir approue my felf, your Lordship's faithfull fervand,

TRAQUAIRE.

OXFURD, Marche 13 [1644].

This was intended to haue cum be the trumpeter, foe I hope he fall be upon his returne befor this can cum to your handes.

For the right honorable the Earle of Ancrome.

1644
March 16.

The COUNTESS OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, I refaiud your letter tuo days befor my husband's cam to me. I thank your Lordship for your good counfal to me. If I made vfe of all is bestowed on me of that kind, I shulde not a wanted fufficient courag aganst al that hath befallen me. I take't from God, and I wait for his deliverance. Your Lordship most giue me liue to think I hau ben wronged by thos of his frinds was ther, did not hinder him of fuch a hafardes enterpries as he undertook. Nowe I hear God hath made a way for his releas, I hop none will advice him to refoos the fam, albeit [it] wer not fo honorabl as it is. Is it now a time to luk to points? No, fertanly; get him fre, and then we talk. Albeit your Lordship's opinion is that many mothers wold be glad ther fons, husband, and fo, were mewed vp from fuch imployments, is afut (it is not mine). If it please the Lord that he com to London, I request your Lordship to perfuad him to haft hom, and I shall afoor

yow if I have anay pouer with him, which I never had yett at his hands pouer to persuad him from trauel, I shall vse it and beg it, to stay at hom and recover health and strenth, and not put him self in any hazart; for when all contris is tryed it will be fond hom is the best of it. Bot seeing it hath been his misforton to mach with me, and my good forton to mach with him, I shall striue to make vp as much as I can in loue, respect, and obedience to him, whom, indeade, deferus mor worthy be tenfold then she who claims most right to him in the world. It is no littl contentment to me that my Lord Maitland is in that place, who is not a superficial frind, but reale. I was neuer so well satisfied with any of all your doings is ther, as with his. He was the surst aquented vs with Essex offer, and still he hath ben doing som thing. I will think of euery body and every frind of myn and his, as they behaue them felfs at this time toward him and me. I haue trubeled your Lordship with dolours. I studdy not on it, for I haue a priueledg amongest my oun, and I desire the sam with thos fuld be as my oun, who shall never deserue any other at whos hands I rest, your Lordship's affectionat Doughter and seruant,

ANNE KERR.

NEWBATLE, the 16 March 1644.

Your Lordship told me your man brought my letter from Brestol, and yet they wer opened by the way or my Lord Maitland got them: nather he nor I shal meddl with Stat maters.

To the right honorable the Earle of Ankrame, at London.

JOHN, EARL OF TRAQUAIR, to the EARL OF LOTHIAN.

1644
March 20.

MY NOBLE LORD, The trumpeter who went to the Earl of Essex is not as yit returned. We look for him hourly, and he is no les wisched for now be C. Gorines freindes then be the defyres, if it ware

possible to haue fean yow befor they hade parted from this place. We resolve to keip both your servands heir this night, and if ther be no word from Lunden out befor the King goe to bed, we intend to send one to-morrow to Lunden quho will easily retorne the nixt day. This delay must proue faschious, but I beseache your Lordship not to suffer this or any thing of this kynd troubill your mynd, espetially since it can not be of any considerable tym. If I be not allowed to stay your cumming, our freind will for yow. Soe, wisching your Lordship all healthe and happines, I rest, your Lordship's humble servand,

TRAQUAIRE.

OXFURD, Marche 20 [1644].

To the right honorable the Earle of Lothiane.

1644
April 6.

The EARL OF ANCRAM to JOHN, LORD MAITLAND.

MY LORD, Your Lordship sent me this lettre heire enclosed, which I retorne to your Lordship, that thereby yow may sie approved by our deere frend my Lord Balmerino, the waye that I tooke out of the publique rewles to sollicit for my Sonnes release; which God hath so blest, that the more I think of it I am the better content, espetially that my Lord Balmerino's lettre, if it had cumd as it was dated, would haue directed me to haue followed it as I did; and when it is knowne how your authority trubled my privat desyre to make it take heere, your Lordship will get your dew thanks from our frends at home; and whatever God do with him heirafter, your Lordship neid not blame me for doeing amifs out of fond fatherly affection, so to lessen him by his vnequall exchange. I thank God he is out of that vnequall place, and so beloued among yow, the greatt rewlars of the tyme, that his Father can not gett leaue to enjoye his company, who am in my cloyster, your Lordship's humble Seruand,

ANCRAM.

6 Apryle 1644.

Iff your Lordship be pleased to lett my sonne fie my Lord Balmerino's letter, when yow both haue redd it, I defyir it back agayne.

To the right honorable Lord, my Lord Maitland.

NOTES by the EARL OF LOTHIAN of the PROCEEDINGS of the ARMY
sent in Pursuit of the MARQUIS OF MONTROSE.¹

1644
September.

I PARTED from Edinburgh the 4 September 1644; came that night to Sterline, where the Marquis of Argyll was, &c.; was that afternoone with the Committee of the Shire, for putting out there men, which was resolved should be instead of all, only as the first expedition into England; they were to come to a rendezvous vpon the Saterdag, three days after. The Marquis and I wrote to the Committee our purposes and intentions. I subscribed with him a protection for debt to the Earl of Airth for four days, for it was thought fitt he and others in Sterlineshire and Menteith and Strathern should be sent for, whom we were not confident of. The Earl of Perth and his daughter in lawe came to the Marquis this night; he was desired to come in.

The 5 September I went and looked in what condition the Castle was in, which was not as it ought. There were letters and directions sent to the burghs and the north; in the afternoone Sir James Hackett march'd with the Marquis of Argyll's troope to waitte vpon the enimies motions; my regiment came in in the eavening.

¹ Montrose, having raised an army composed of Irish and Highland troops, overran the north of Scotland, and defeated the forces opposed to him, under Lord Elcho, at Tippermuir, on September 1, 1644. The Marquis of Argyll and the Earl of Lothian were appointed by the Committee of Estates "to go against him." "They levied very quickly the men of Stirlingshire, as also brought Lothian's regiment, which not long before had come over from Ireland, and with those they marched forward upon the tenth to St. Johnston, where the people of Fife met them, as also two regiments of horse from Newcastle, called home for that end, viz., the Lord Bargenny's regiment and Sir Frederick Hamilton's." (*Guthrie's Memoirs, Glasgow, 1747, p. 167.*)

Late att night we wrote a letter to the Committee of Estates, telling the causes of our not moving, and desiring meate, and some money for incident charges. This day the Committee of war of Linlithgow sent a gentleman to vs, telling there Shire were at Fakirke. We concluded to accept from them futch proportions of men as went in the first expedition; lykeways the Shire of Edinburgh principall sent William Murray from Linlithgow to shewe they were in some numbers advanced; foe we wrote to them what we had desired the Committee to demande from them for there whole number, insteade of this two good troopes of horse and 100 dragooners.

The 6 September, Fryday, there came letters from the Committee which we anfwereed att night. Likewise from the Provieft of Edinburgh, concerning there companies, which were also anfwereed. The quarter-master of these companies came to gett orders whoe werre commanded to come for Sterline from Lithgow, where they had staid. Sir Robert Drummond and Maner came this day to offer for Linlithgow fhire a troope of horse and one hundreth dragooners, for the men they should putt out. This we were content of, and wrote to the Committee to accept of it. There was this night a herang betwix my men and the Marquis of Argyll's. We sent some to St. Jhonston to knowe of the motions of the enimie, and the Lord Gaske came in to vs, whoe reported there barbarities,¹ and that they were about Scone.

The 7 September letters came to vs from the Committee, and we returned anfwerees by Lawers. We gott likewyse [letters] from Dundee and Fife, and Sir James Hackett, the Lord Gordone, etc. The Toune of Edinburgh's 3 companies came in, and we gave the Earle of Marr, vnder our hands, that he had performed the trust layd vpon him concerning the Castle. We sent to severall places for

¹ For an account of the barbarities perpetrated by Montrose in his northern expedition, see Spalding's *Troubles of Scotland*, vol. ii. pp. 265-8 (Ban. Club); and Laing's *History of Scotland*, vol. iii. pp. 280-283. The latter historian thus sums up the narrative of his exploits:—"How desirous soever of true glory, Montrose was unconscious that humanity is the most distinguished attribute of an heroical character."

meale—examined some gentlemen came from Montrose—gott information there was none left in Perth—could not march this day for want of provisions.

The 8 was a fast. This day we received letters from the Committee, and returned answeres. We hearde of the advancing of the enemy towards Neutyle; and James Stewart, this day, that kill'd Kilpont,¹ desired permission to come speake with the Marquis [of] Argyll, which was condiscended to. I wrote letters to London this day.

The 23 I sent backe two of my horffe and two men; left my trunke and tent behynde; march'd to Kintore, where myne and Lawers' regiments quarter'd. Buchannan stayed for the amunition. The Marquis of Argyll went to bring vp his people from Drum.

The 24 we march to Innerurie, where we stayed that night and till the next day att 10 in the cloke, that the Marquis came vp. When he came he dispatch'd letters to Murray and Aberdeene. We march'd from this place the 25 to Bensholme, and quarter'd in the fields. The Marquis his men were aff vpon the right hand; he brought vp only one regiment, sent another to the left hand, and the rest towards Atholl.

The 26 we march'd by Strathbogie to the church of Keith. Had divers advertisements from the General Major, and from the Murray men, whoe were lying over against the rebels att Craigalochie.

The 27 we march to the Bog of Gich. Gott letters by the way from Edinburgh. Found all the horse there. Sent backe Dalhousie's regiment towards Aberdeene, and two troopes of the Lord Gordon's, and yong Innes his troope, with the troope of East Lothian. Kept with vs Sir Frederike Hamilton's regiment, and the Marquis his troope. Crossed Spey this day, and came to Spynie to see a friend.

¹ A detailed account, by Mr. Robert Stewart of Ardvoirlich, of the unfortunate slaughter of Lord Kilpont, will be found in a postscript of the Introduction to *A Legend of Montrose*.

The 28, by Elgin I returned to the Bog.

The 29, Sunday, we hearde this day the Murray Camp was broke vp, Sutherland and Seafort retired to Innernefs; the rebells gone vp Badenoch, but not certain by which way. There was letters written to have a meatting att Forrefts vpon Tewfday, and we gave orders from making readie for our remove.

The last, we thought to have marched, but could not, for want of baggage horfe. We made dispatches to Edinburgh. Duffus and Ballendalloch came from the Murray and Sutherland and Rofs men, to tell vs of there proceedings, and what they knewe concerning the enimie, whoe went out of there fight at Ruffen in Badenoch.

The first October, we march'd from the Bog by Mulbon, the Fidich, Skirdustan, to Carron. There quartered in the fields. Lieutenant Collonel Innes sent me vp a priffoner, one Stewarte, ane Atholl man.

The second, by Inneraon and Ballnadalloch, vpon Aon, Devey, Crondell to Conneges, over againft Ballacastell. The horfe (who came vp late except the Fyfe troope) march farther vp the river, towards Abernethy. We gott letters this day by the way from the partie the Marquis had sent after the rebells, written from Ruffen in Badenoch, telling the rebells were vpon the 30 within six myles of them, att [name blank]. The Marquis was this night to be att Ballacastell, whether I wrote to him.

The 3, we marched to Gartmore by Abernethy and the woods, behynd which the rebells lay when they came towards Spey. Heare are great firr woods.

The 4, we lay att Gartmore till afternoone, and march'd to Kinchardie. We heard nothing of the rebells this day.

The 5, we march by Rothiemurchus to Ruffen in Badenoch. Here we heard the rebells were gone to Atholl, and were att Blair. We joyne heare with the 500 men the Marquis of Argyll had sent aff from Drum. Heare lay the 6 and 7, and wrote letters to the Committee, and to feverall Highland [Lairds] to bring in forces to joyne

with vs in this quarter. We made bring in many goods, in doing which the people kill'd 4 of the Marquis of Argyll's people : some of them were taken and hanged.

The 8, we stay'd still heare; hearde M'Donald and Montrose were separate, and sent out a partie to try and se.

JOHN, LORD MAITLAND, to the EARL OF LOTHIAN.

1644
October 31.

MY LORD, I must first beg your Lordship's pardon for my so long silence, which was occasion'd by the Countes of Home's death,¹ and then by such ane accident after which, removed me a fortnight to Highgate, as made your Lordship and my Lord Balmerino goe to Kew, thogh I thank God no bodie died that belonged to me. After my return I have written to no bodie bot my father, for the conveyance by land hath been ever more dangerous since, by reason of the enemies taking of Crowland, in Lincolnshire, which was the post's way; and I have had no occasion by sea before. It was likewise a plagueie reason that made me so long of fending your Lordship your bookes, for, for a great while before I went out of toune, the sicknes was so neir Bies, that I forbore to goe thither. Your Lordship shall now receav them from my father, to whom I have sent them with some bookes to himself. I directed them to him because he was liklier to be in the toune than your Lordship. I could not get them so cheap as your Lordship set doune, yet I gott him to beat a good deale, for I payed only eleven pounds for the books mentioned in this note which your Lordship marked, for the which he had set doune 13 lib. 15s. 0. With them I have sent doune your *Theatre de l'Antechrist*,²

¹ Lord Maitland married Anne, second daughter of Alexander, first Earl of Home.

² This volume—"Theatre de l'Antechrist, auquel est respondu au Cardinal Belarmin, au Sieur de Remond, à Pererius, Ribera, Viegas, Sanderus et autres, qui par leurs escrits condamnent des Eglises Reformées sur ce subiet. Par Nicolas Vignier, 1610," folio—is still preserved in the Library at Newbattle.

bound as yow desired it. *Speed's Mapps and Historie*,¹ your Lordship had once resolved not to take; then yow wrot to me lately for them againe. But Bie fayer he will not beat anything of 4 pounds for them, which I think a greate deale to much, so I wold not take them till I heard from your Lordship againe.

The greatest news heir is the taking of Newcastle,² which is both great and good news for us, and as much the way of it as the thing itself. If now it could please God that the rebels at home could be crushed, and our armie recruited to a considerable great strength, and so come up, I should be confident things wold goe well both in Church and State. On Sunday last, our forces gave a good beginning of a blow to the enemy between Neuberry and Denninton Castle, wher 9 peec of canon wer taken; a brigade of hors broken, commanded by the Earl of Cleveland, and himself made prisoner; old Ruthen wounded and retired into Denninton Castle, wher the King put the rest of his canon and cariages, and with the rest of his horse and so many of his foot as he could get (for most of the new foot of his wer scattered) he marched away some with himself toward Bath, and the rest toward Oxford, which they gained before our cavalerie could overtake them. So I fear the desire which all our forces have to goe to their winter quarters hinder us to get the fruit of this success, as we have lost many before.

The Church affaires are much retarded by the Independent partie, who cary themselves farr otherwise to us then they did when your Lordship was heir; even those who wer then activest for us doe turn their cloak quite on the other shoulder. Whither the taking of Newcastle will make them the calmer I know not; bot, treuly, before they undervalued our army strangely.

¹ There is a fine copy of "The Theatre of the Empire of Great Britaine, by John Speed, Lond. 1611," 2 vols. folio, in the Library. This might be the one here mentioned.

² Newcastle was again besieged by the Scottish army under the Earl of Leven, and obstinately defended by Morley, the Governor: it was taken by storm in October 1644.

The Assembly hath almost ended the most material parts of Church government; for, besides the votes concerning the officers of the church, they have voted that the Church is to be governed by 4 sorts of assemblies; they have likewise voted their subordination, and proven these propositions by Scriptures; and they are now going on with the perfyting the Directory. Then they will draw up what they have done in government, and offer it to the Houses. Bot of all busines I have written at lenth to my Father, which your Lordship may see when yow please; yet, leaft your Lordship should be out of toune, I have wret so much.¹

It rejoiced me very much to hear of my good Lord Balmerino's comming. I long till I see hime; for, truely, we will have need of such helps. . God fend us good news out of Scotland, which is the earnest prayer of your Lordship's most humble servant,

WORCESTER-HOUS,
the last of October 1644.

For the right honorable
the Earll of Lothian.



The EARL OF LOTHIAN to the COUNTESS OF LOTHIAN.

1644
October 30.

SWEATTE HEARTE, I receaved your letter of the 18. I have written foe many to yow since I was in this voyage, that I doe not remember them nowe; but my last was from Aberdeene. From that place we marched the next day after, which was Saturday. We kept the fast the Lord's day at Innerury, some ten myles from Aberdeene.

¹ John, Lord Maitland, was one of the Commissioners from the Church of Scotland sent to attend the celebrated Westminster Assembly of Divines in 1643. He succeeded to the title of Earl of Lauderdale, on the death of his father, in January 1645.

We hearde there that the rebells were at Fyvy—the Earl of Dunfermeline's house—vpon which, vpon Monday morning, we marched towards them, but found [them] lying foe strong in a wood, that they could not be forced out of it by ane army. We beate in all came out, and killed at least 15 or 16. We lost some two of my regiment; your uncle's people, one; a trooper or two; amongst the horse were some kil'd likewise, for they had greate advantages of dikes and houses; but one amongst vs was more worth then ane 1000 of theres, for the Earl Marshall's brother, whoe was Captain of horse, was shott deade. I have relatted to yow all the losse and hurt. We tooke in our quarters that night hard by them, but they stur'd not; the next day we drewe out againe, and came before the place they ly in, but noe invitation we could make could drawe them out. We left them yesternight againe; are lying nowe heare waitting vpon them. We are in fight of them, and all of vs very well in health. I wish these that censure our slowness were in our places. They would be more active and valiant. I am sorry that your indisposition continues. I hope to heare yow are better by your next. I pray yow lett not my being heare trouble yow. God Almighty will bring vs together in his oune time. I pray yow be dilligent for Mr. Clerke. The Earl of Craford writes to me that he shall gett money within fewe days. I shall write for money and clothes when they are both neare donne, to which it will not be long. I wish I were disingaged; but I must bide it out till it be donne handsomely, for death is better then discredite. Besides, I willbe loath to leave your vncl. I can say noe more, but committ yow to God, and your children, and rest, your most loving husband,

LOTHIAN.

From CRIECHIE, with a myle and halfe to Fyvy,
the 30 October 1644.

I shalbe vndone by the want of my servant, William Kerr, whom I must send from here tomorrowe, sicke of a bloodie flux.

For the Countess of Lothian, at Newbattle.

JOHN, EARL OF LAUDERDALE, to the EARL OF LOTHIAN.

1645
March 13.

MY LORD, This other letter was written just upon our comming from the treaty, and then we intended to have dispatched this bearer, bot we still delay'd his going from day to day, expecting ane anfuer concerning our armies in England and Ireland. To the one we have gott their anfuer, and the bearer comes away with it. Bot, notwithstanding that the Committee prepared Georg Monroe's bufines above ten dayes agoe, and that we pres day by day, be word and wryting, yet can we not get it reported, doe what we can: indeed the Houfe did not sitt four dayes. This makes Georg mutine feircly and tell his minde bot too freely. We shall indeavor to get him sent away with as fatisfactory ane anfwer as we can procure. In that part of his dispatch which concern your Lordship, the Committee of both Kingdoms have made it a part of the report that is to be made to the Houfe, that it is necessary that your Lordship be written, to goe and take the charge of the armies in Ulster, as Lieutenant-Generall, according to your Commiffioun, and that your Lordship be encouraged and inabled to goe. We thocht it not fitt to mentioun your accounts at first. This inclosed pacquet I had from your Lordship's father this morning. I shall trouble your Lordship no further at this time, only crave leav to subscribe that I am, shall ever be, your Lordship's most humble Servant,

WORCESTER HOUSE, the 13 of March 1645.



The EARL OF LOTHIAN to the EARL OF ANCRAM.

1646
February 17.

MY LORD, The last letter I received from your Lordship was of the last January, and within it was inclosed a letter, written by Mr.

William Kerr of Litleden to the late Earl of Bothwell. I have read it, but fynd not it can be of importance to me. I have written to your Lordship by most of the occasions to our Commissioners. I have not nowe any purpose but the inclosed letters which I have gotten from our Parliament (which is nowe ended) to the Parliament of England, and to our Commissioners for your pension. I send them open to your Lordship, that after yow have looked vpon them, yow may close them with some handsome vnknowne seale, and give them to our Commissioners. That to the Parliament they will give as it is directed; I shall adde my particular suite to Sir Henry Vane and some others, whoe, I thinke, may contribute in the busines. I can adde noe more att this tyme, but to say, that I am thus farre on my way to come towards our armie, apoynted by our Parliament one of the Committee for it. When the rest come, which I thinke wilbe once this month, we will (God willing) begin our journey. I am in the meane tyme heare to order my affairs, discomposed sufficiently by my too mutch absence. I can nowe say noe more but that I am, my Lord, your most lovinge and most obedient Sonne,

LOTHIANE.

ANCRAM, the 17 February 1646.

For the right honorable
the Earle of Ancram, att London.

1646
March 9.

A LETTER to the EARL OF LOTHIAN.

MONSEIGNEUR, Ceste-ci est ma deuxiesme, où j'ai l'honneur de vous dire que Monsieur de Gordes a mis un gentilhomme François pour premier gendarme en la compagnie Escossoise de la garde-du-corps, qui n'y peut estre souffert, et qui n'exerce pas aussi la charge, et que la nation a droit de demander recompense pour le dict gentilhomme, à la verité qui merite beaucoup, et à mesme temps sa place pour moy, puis que je suis le premier occupant et d'une famille qui ayant fait beaucoup des frais pour ste courronne en la personne de Marie, leur

douairiere, nostre Réne, sommes encore sans indemnifement là et ici ; et neantmoins sans reproche, fauf celle d'estre disposés de faire encore mieux à l'aduenir, le Roy, vostre conseil et parlement se pouvent entendre, paix ou guerre, à presser promptement cela un Xerxès mesme redoutera les Grecs se reconcilians pour le bien les uns des autres. Je sçai bien que nos patriotes papistes seront pourtant les plus contreres, et que cette humeur deroge à leur generosité ; mais il la faut dompter, et ne souffrir pas qu'ils facent ni coustume ni loy de leur cruauté, parce que vous les cheriffiez. Si vostre rare bonté, Monseigneur, peut se refoudre à ceci et en fait expedier la despesche à tous ceux qu'il appartiendra icy, perfonnes publiques et privées en ma faeur diligemment, qui fai mon adresse chez le sieur de Fresne, lingier, ruë de Sene, au Faubourg St.-Germain, Dieu me fera la grace de contenter ces anciens alliés. Vous fites voir, estant ici, aux seigneurs François prés lesquels je suis, que vous me confideriez, je ferai ravi, Monseigneur, de leur monstrier que je tiendroy ceci de vostre Grace, à laquelle je suis sans fin, Monseigneur, plus que très-humble et très-obeissant serviteur.

A Paris, 9^e mars 1646.



Monseigneur

Monseigneur le Conte de Lothian.

MEMORANDUM for the EARLE OF LAUDERDALE.

[1646
c. April.]

THAT, if the King come [to London?], the course formerly set doun bee observed.

No conjunction of forces before the King's messages bee sent to the Parliament, which, if accepted, wil bee a meane to procure peace ; and refused, will make a new state of the questione & warre, and make all that are fatisfied with the offer to joyne.

Concerning Newarke, it is more convenient to have it by capitulation then by storme and losse of men, as affaires now stand.

When it is taken or surrendered, our army would bee in such a posture as they may not bee surprised that wee cannot positively tell what will bee desired of them, or what they shall next doe; but for the present, since yee know no other necessary service for them here, that they have their thoughts of returning neare their garisons, and that wee may desire the graunt of the demands of our Parliament, the settling of the accompts, and satisfaction of the army.

That if there be no present settling of religion and peace, wherof there is small hopes to bee in haist to our contentment, it is to be expected they will demand presently the delivery of our garisons and returne of our army, which, if refused, it is like the strenth of their armyes will bee sent northward to move yow to go home, against which wee know no remedy but the strenthening of your army from Scotland, so as yow may bee able to preserve your selves, and crave performance of what they are obliged to, by Covenant and Treatye.

1646
April 15.

JOHN, EARL OF LOUDOUN, to the EARL OF LOTHIAN.¹

MY NOBLE LORD, I ame forie your Lordship's indispositione of health made me miss the contentment I expected in meitting with your Lordship heir. I shall referr your Lordship's information concerning affairis at London, and my advyce in the busines wee hade into consideration to the relation of these noble beararis. Bot I fear too much scrupulositie hath lossed a fitt opportunitie in tendering them too much who ar not so tender of the gude of religion nor of our nation. I shall never advyce any thing may not stand with our Treattie; bot if wee be not actiue to doe for the caus and preservation of our kingdome, wee ar in danger of being ruined. So praying God to direct and blifs your proceidings, I rest, your Lordship's most humble fervant,

[LOUDOUN.]

ROYSTOUN, 15 Apryle 1646.

¹ Although the signature to this letter is destroyed, there is no doubt the writer was the Earl of Loudoun, the Lord Chancellor.

If your Lordship shall shew my letter to my Lord Balmerino, he will insult that he hath made me a profelitte of his own mynd.

NOTES by the EARL of LOTHIAN of the PROCEEDINGS at NEW-
CASTLE, during its Occupation by KING CHARLES and the
SCOTTISH ARMY. 1646
May.

THE 26 May, I took phisicke, wrote letters to Scotland, and sent William Kerr and Jhon Jhonston thither.

The 27, in the afternoone Committee, Collonel Friffell refused the adition of a companie to his regiment, and Kircubright's men commanded to march to Yorkshire. Propositions made to the Kyng to give passses to ships, and to write to his agents beyond seas to recall his commissiions given against his subjects. Mr. Henderfone reported the King's desires, for 10 or 12 doctors and books; but that, in the meane tyme, he would frame himself arguments.¹ The King gave order to Lanerick to drawe passses. The . . . of Carlile's desires committed to three or four of our number. Some recruits came vp to my regiment.

The 28, I took phisicke.

The 29, some recruits came into toune for my regiment; in the afternoone wee gott letters from our Commisshioners and the Lord Balcarres, wherin were some hope of matters going well.

¹ The King having joined the Scottish army at Newark, 5th May 1646, retired with them to Newcastle. On his arrival he sent for Mr. Henderson, and proposed that he should engage in a Disputation regarding Episcopacy with certain English divines. This, Henderson declined, but the question was discussed in a series of papers which were printed under the title: "The Papers which passed betwixt His Sacred Majesty and Mr. Alexander Henderson, concerning the change of Church Government, at Newcastle (May 29th to July 16th) 1646." They are included in the *Works of King Charles*, and also in *Aiton's Life of Henderson*, and other works. He died at Edinburgh, August 19, 1649.

The 30, it was apoynted to retorne anfwear to the Commiffioner's letters, and I took phificke againe.

The 31, Sondag; this day Vanderofs his regiment was apoynted to be reduced.

The firft June 1646, I was dealing for more quarters to my foldiers; and we had committees and letters from Poyntz, and the committee of Yorke, concerning quarters there, and the infolences of Vanderofs his regiment.

The 2, Committees againe concerning particular demands from officers for armes and intertainment in there abfences in Scotland. This night we had ane exprefs from Balcarres.

The 3, we mett to refolve what anfwears to fend to London, and what to prefs the King withall. We gott letters likewise from the Committee of Eftates in Edinburgh, complaining we tooke too much vpon vs.

The 4, we were vpon the fame purpofes.

The 5, we mett to give in the Kyng our defires and a particular concerning Forbes his regiment.

The 6, we expected his anfwear, but he delayed: we drewe vp the draught of a letter for the Parlament.

The 7, Sondag.

The 8, the Kyng gave vs a draught of his with a long difcours. We removed to confidder it, and refolved to adhere to our oune, and drewe a paper which was fubfcribed by all, with the General Officers, that if he would not condifcend to our paper, that we would thinke ourfelves for the publicke good, and this was given and all of vs vpon our knees to fecond it. He demanded till to-morrowe att 5 in the afternoone to thinke vpon it: he fhould this day a letter of James Grahame's. The draught of the 6 to the Parlament was debated againe this day, and not pofitively refolved nether pro nor con. We gott civill letters this day from the committees of Yorke and Generall Poyntz; and Colonel Stocdall was againe delayed in his petitione. The Earl of Morton refufed to come amongft vs.

The 9th we mett in the Committee in the morning, and fully resolved the reducing of Vandrisk's regiment. After this we alter'd what wee had formerly resolved to advise the Committee vp att Edinburgh concerning the rebels, and only advised that Middleton should proceed according to his instructions with the advise of a committee. In the afternoone we were with the Kyng, and he gave in another paper vpon that we had given him the night before. In this peece, he would have perfwaded vs to have rested contented with what he gave vs, and demanded 5 Bishops to be kept vp in England; by this he gave in another draught something varying from the former. This pleased not: we advised him rather some generall, which he was content withall.

Mr. ROBERT LEIGHTON, MINISTER OF NEWBATTLE,
to the EARL OF LOTHIAN.

1646
June 8.

MY LORD, By your Lordship's letter (which I received) I perceive that they have leaft to retract, that were leaft taken with the common suddenn rejoycing at that late great occurrence;¹ yet, however (looking to Him who orders all to his good and wise ends), I am perfwaded 'tis a step to advance the maine worke now in His hand, and that good shall arise out of it, though likely not in that speedy and easy way that most have imagin'd it; rather it may first raise the difficulties higher then before, and if not cause, yet threaten at least, further embroylement; but then shall Hee, whom the winds and seas obey, appeare most in his power, in commanding a calme. Your Lordship's faithfulness and freedome we heare of here, with as much contentment to all welminded, as possibly it is discontent to him,² that still most mistakes those that with him best. My Lord, besides the histories of former times that yow are well acquainted with, your eyes have seene

¹ Alluding to King Charles joining the Scottish Army.

² The King.



JAMES, FIRST VISCOUNT OF DOWN

from the original by Daniel Nodding, Newcastle Abbey



hope the Almighty did direct him, for the good of himself and all his people. My prayers are, the Lord of Hosts will now shew himself the God of peace, and inspire him, your Lordship, and all his counsellors, to your exceeding honor, for the settling of truth and peace. I beseech your Lordship remember our old familiarities, and let not the generall mistakes cause your Lordship to misconceiue of me; but do me the fauour to assure me of your constant frendship, and be yourself assured of my best seruices. Good my Lord, let me know by this bearer, or whom els you please, the present condition of his Majestie, and what commands you haue for, My Lord, your Lordship's constant, faithfull, and humble Seruant,

Juin the 30, 1646.

I should take it for a great fauour if your Lordship would procure a safe pass for my son to go through Scotland into France.

For my very good Lord, the Earle of Lothian
at Edinburgh, these.

CHARLOTTE DE LA TREMOILLE, COUNTESS OF DERBY,
to the EARL OF LOTHIAN.

1646
June 30.

MONSIEUR, A vostre dernier voyage de France, il vous pleut tesmoigner à madame ma belle-soeur l'affection que vous portés à cette famille, à qui j'espere que vous faites la faveur de la continuer. J'en pren encore quelque assurance particuliere pour mon regard, veu la longue affinité qu'il y a entre nos nations, et la mesme religion que nous professons : ce qui m'empesche de douter que vous preniés à importunité la très-humble priere que je vous fay de vouloir prendre la

peine d'envoyer cette lettre à madame ma belle-soeur. J'ay esté trop longtemps sans sçavoir de ses nouvelles par les malheurs de ces guerres, et ayant plusieurs affaires qui m'importent (surtout celles de la succession de mon frere de Laval, qui ne concernent personne que l'intérêt particulier de nostre maison). J'espère qu'il vous plaira de faire tenir ma lettre, et que vous nous assisterés aussi de vostre faveur à obtenir du Conseil un passeport pour envoyer mon fils en France par l'Escoffe : ce qui fera un surcroist aux obligations que cette maison vous a desjà, et à moy un engagement particulier de demeurer, Monsieur, vostre très-humble et très-affectionnée servante,

Charlotte de la Trémouille

A CASTLE RUSHEN, ce 30^{me} juin 1646.

A Monsieur, Monsieur le Comte de Lothian.

1646
July 10.

SIR HENRY VANE to the EARL OF LOTHIAN.

MY NOBLE LORD, You haue been pleaseth to write vnto mee a letter foe ful of kind expressions and acknowledgments for my respects vnto your Lordship's father, and alsoe out of your noblenesse to giue mee assurance of your Lordship's heartie kindnesse and frindshipp to mee and mine, that I shal beseech you to beleave that what is in power of mee and mine, is and shal bee really att your Lordship's command, in all occasions, to serue both your Lordship and yours. And I doe take itt in these calamitous times, both to my selfe and familie a verie great blessinge from God, the frindship of a perfon of foe great truth and woorth as your Lordship, the which shalbee inviolably kept by mee. I hope the propositions transmitted by both Houses to his Majestie by their committees, in the name of both Kingdomes, will haue a gracious acceptance : if not, the issues cannot bee good for

Kinge nor people. God, of his mercie, putt itt into his Majestie's heart to take the Couenant; that, beginninge with God first, hee may alsoe pass the Propositions, by which meanes Irland may bee releued, else I apprehend the los of that kingdome wilbee a thorne in the side of both kingdomes; paradventure a desseing from Rome to shake and throwe downe all the Protestante churches in Cristendome. My prayers and endeauors shalbee that God will soe direct the counsels and resolutions of both kingdomes, joinet in Soleme league and couenant, soe that they may preuent the same. The French Ambafador arriued heare this last night with a pompuous traine; was meett att Grenwiche by one lord and two comoners, and by them conducte to Goring house, where hee is lodged. And soe I rest, my Lord, your Lordship's most humble and faithful Seruant,

From my house neare Charing Crofs,
this 10th of July 1646.



I had almost forgot to recomend to your Lordship's fauor the ministers of the County of Durham I sent the last year out of the south, and gott them with much difficultie. Should they haue discouragement, and it caufe returne, it might prejudice the woorke now in hand. Ther particulars I refer to the bearer.

For the right honorable
the Earle of Louthian, at Newcastle-vppon-Tyne.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

1646
July 16.

MY LORD, I receaved a letter from yow with the Lord Balcarres, which I could not answere, because I was instantly going towards Scotland to see my wife, whoe was sicke and brought to bed. But I

desired Sir William Kerr to write to your Lordship in the purpose. If I had thought the tyme fitt I would have beane earnest in the purpose yow write; but I thought, and doe thinke still, that your Lordship should nether thinke of it, nor any hath any respect to yow. A litle tyme will discover what is sett to be donne, and then I shall not be wanting in what is of my deutie. But as affairs presently stand, if yow changed your station it would be exceedingly to your prejudice. I shalbe more particular by some other occasion, God willing. —I rest, my Lord, your most loving and most obedient Sonne,

LOTHIANE.

NEUCASTLE, the 16 July 1646.

1646
July 23.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, The Commissioners of the Parliament of this kyngdome are this morning come, and our Committee waited vpon them att there lodgings. There, from the Earl of Pembroke, I receved a letter from your Lordship. Mr. Marshall told me he had another for me which he had not by him. I will gett att it another visite, which I will, God willing, performe in particular. The Marquis of Argyle gave me a letter also; I can only nowe say I have receaved them: other purposes and anfwears will come by some exprefs. This principally is to cover this inclosed from the Earl of Roxburgh (whoe came hither two days since) to Mr. Ratray, which your Lordship wilbe pleased to make fend to him. I am hindered att this tyme by being in the Committee, to say any more but that I am your most lovinge and most obedient Sonne,

LOTHIAN. *

NEWCASTLE, the 23 July 1646.

For the right honorable
the Earle of Ancram, att London.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

1646
July 30.

MY LORD, I have receaved of late two or three letters from your Lordship, to which I shall anfwere particularly, God willing, either in the companie of some of the Inglish Commissioners, or els by some of our number that will nowe come vp. Therefore, I will write noe more nowe, nor any thing of the publike busines at all. I will leave the relation of there intertainment with the Kyng to themselves. Your Lordship desired, in one of your last, to have hearde more particularly concerning my famyly. I was in Scotland lately, where I stayed but fewe days, only to christen a daughter, which was named Margarett,¹ as I had one formerly that died. I am nowe equall in sonnes and daughters, and they are all, I thanke God, well. I am striving to diffingadge my self of all publike affairs, and only betake my self to my private affairs; for I gett every [day,] disgusts and displeasures, which yow will knowe better from others then my self. I shall, by these come up, doe my utermost to putt your affairs in some better condition, if any intercession will worke. I can now say noe more, but that I am, my Lord, your most lovinge and most obedient Sonne,

LOTHIAN.

NEWCASTLE, the 30 July 1646.

For the right honorable the Earle of Ancram, att London.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

1646
August 2.

MY LORD, As the Earle of Pembroke did me the honor to give me a letter from your Lordship, soe must I fend this by him, because he hath demanded it. He hath expressed mutch good will to your Lordship and to me. I have, as well as I could, acknouledged his favors to yow, and waitted vpon him as often as I could, and would

¹ She afterwards became the wife of James Richardson of Smeaton.

have beane readie to have donne him all service. Yow wilbe pleased to give his Lordship thankes, for the offers of favor and kyndnefs he hath made to me. He and the rest will declare the intertainment the Kyng gave them heare, and I hope they will give a testimonie to our faythfulnes, and howe forward the Committee was heare to contribute our indevors for getting the Kyng's consent to the Propositions. Wee shall still vprightly and honestly doe every thing according to the Covenant and the Treaties, and our professions from tyme to tyme. I will mix noe other purpose, nor say any thing els now, but that I am, my Lord, your most lovinge and most obedient Sonne,

LOTHIAN.

NEWCASTLE, the second August 1646.

For the right honorable the Earle of Ancram, att London.

1646
August 2.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, This worthy bearer¹ brought me a letter from your Lordship, and came to my lodging with it. He acknowledged much good will to yow and your family, and tooke more notice of me then I could merite, which I shall earnestly desire your Lordship will give him thankes for in my behalfe. I was not able for particularly to

¹ From the letter following, we find that the "worthy bearer" was Mr. Stephen Marshall, Lecturer at St. Margaret's, Westminster. In 1643 he was sent, as one of the Commissioners from the Assembly of Divines, to the General Assembly, and seems at this time to have been one of those despatched to the King with the Propositions of peace agreed upon by the Commissioners of both Kingdoms. He was one of the authors of the famous work entitled "Smeſtymnuus," so called from the initials of the names of the writers. Baillie writes of him as "the best preacher in England" (vol. ii. p. 148); and again, "he was ever in my heart a very eminent man. . . . He was the main instrument of that Nationall Covenant with God, and among ourselves, which went to hing on the walls of your churches; it will hing ever before the eye of God, the prime Covenant" (vol. iii. p. 302). Mr. Marshall died in November 1655.

1646.]

Earls of Ancram and Lothian.

193

waitt vpon him, nor to doe him the services I would according to his merite. We wish he had stayed longer, that we might have had more of his excellent fermons, and that we might have had foe vp-right and honest a witnes to our proceedings, which shalbe still foe and punctually according to the solemne strict reules we have bound ourselues to. He hath preatched excellently to the Kyng, and spoken to him in particular. By that and the publike proceedings in bufines he wilbe able to judge and declare foe well what is likely to followe towards the desired peace, that I will say nothing, but that I am, my Lord, your most lovinge and most obedient Sonne,

LOTHIAN.

NEWCASTLE, the 2 August 1646.

For the right honorable the Earle of Ancram, att London.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

1646

August 3.

MY LORD, I wrote two letters which I intended by the Earl of Pembroke and Mr. Marshall. Not that I had the vanitie or incivility to make futch bearers, but because they desired them, and yett I missed both, they went foe early this morning. I was foone enough readie, and thought to have brought them on there way this length, but they were gone in the tyme one was going from me to knowe there diett. I fend the letters, housoever, after them. This is with the Marquis of Argyll, by whom I can only say that I have earnestly recommended your bufines to him, and he sayth when yow informe him in the particular, he shall leave nothing vndone in them in his pouer. The Chancellor and the Earle of Dunfermeline will doe likewise what they can contribute. And this is all att this tyme can be sayd or donne by, my Lord, your most lovinge and most obedient Sonne,

LOTHIAN.

DURHAM, the 3 Agust 1646.

For the right honorable the Earle of Ancram, att London.

1646
August 3.

CHARLOTTE DE LA TREMOILLE, COUNTESS OF DERBY,
to the EARL OF LOTHIAN.

MONSIEUR, La lettre donct il vous a pleu m'onorer me rends des temoingnage sy exprès de faveur de vostre bien-veillance que j'en demeure dans le scillence, ne pouvent par paroles exprimer mon reffentiment, et la condision où je suis ne me donne pas le moyen de pouvoir y faire suppleer mais servicez. Je ne fais point de doutes que ceux à qui j'ay l'honneur d'appartenir, ne me face celuy par leurs actions de vous temoingner leur gratitude des obligations que vous avez acquise sur moy en voulant avec tant de franchise vous employer aux supplications que je vous ferois par ma lettre. Par celle-sy je ne vous puis dire mon deplaisir de la precipitation du voiage de mon fils. Sy j'avois esté de son conseil, je vous en ferois mes excuse. Tout ce que je vous puis dire pour les siens, sçait que je croy qu'il a estimé que nos promesse pour son desir n'estois que les remise, monsieur son pere et moy luy ayant fait esperer un passeport. Il y a plus d'un an 'il s'en n'est allé sans nostre feu avec nostre deplaisir que la coupice de ces lettres vous le feront voir, sy vous l'avez agreable, en ayant chargé exprès ce porteur, lequel je vous supplie de croire sur cela et sur tout autre chose qu'il vous dira de ma part, m'i fient entierement. Il vous pourra dire comme j'ay souvent desiré de treter avec ceux de vostre nation ; car je m'asure qu'ils eusse rendu temoingnage comme j'avois tout quitte pour conserver ma religion et pour obeir aux commendemens de feu madame ma mere, qui ne croioit pas que je la peusse conserver dans un mariage de contraire. Vous connoissés sa pieté, et, quoyque je n'en aproche qu'en desir, si esse que je croirois que ceux donct il vous plaist prendre connoissance, dont je suis deffendue, ce leuerois en Jugement contre moy, si j'oublois jamais la religion où j'ay esté nourrie et où j'espere, avec la grasse de Dieu, de vivre et de mourir. J'ay honte de vous avoir tant importunée ; mais vous m'en navez donné la liberté, donct je ne veux pas davantage

1646.]

Earls of Ancram and Lothian.

195

abuſer ; et finis an vous affurent que je vous ſuis, Monſieur, voſtre fervante très-humble,

CHARLOTE DE LA TREMOILLE.

DE RUSHEN, ce 3 aouſt 1646.

A Monſieur, Monſieur le Conte de Lothion.

A. KARR to the EARL OF LOTHIAN.

1646
October 25.

RIGHT HONORABILL MY GOOD LORD, I moſt humblie creave pardon for my not ſooner ſending in of theſe rolls quhich your Lordſhip commanded me ; and now alſo for my miſfortun in not being able to preſent them myſelf. The ſoldiers being ſo unacquainted to meit together and their diſperſe quarter maid us ſo long of randevooeing. Bot now what they ar of effective men heir is the liſt incloſed ; and what is the number hes fallen to us, by the allowance of the governour and commiſar as the tenth man, or by the running away of others ; and how they wer diſpoſed of amongſt the officers whom your Lordſhip appoynted ower them, your Lordſhip hes alſo in the end of the roll. We had from your Lordſhip that we wer heir as one company, and wer ſo to behaive our ſelfs towards our lievtenant collonel, as if the regiment wer inteir wherof we wer on company ; and therfor conceaves what profit flowed from it doeth properlie belong to theſe whom your Lordſhip was pleaſed to ſet over it (the command and commoditie going allways together). Bot now ſinc hitherto, by your Lordſhip's goodnes and favour to us, we have bein ſhairers of both the command and profit thenc redundant, do now humblie ſubmit the diſpoſell of both to your Lordſhip's own good pleaſour, earneſtly intreating, if your Lordſhip fall fortun to leive this kingdome, ſuch orders may be given as may ſeclud all feids of diviſion from amongſt us, quhich to me is als heatfull as he is from whom they do proceid. I houp in two or thrie days henc (God willing) I ſhall be able to com and wait upon your Lordſhip myſelf, at which tym I ſhall hartilie receave ſuch commands as it ſhall pleaſe

your Lordship to put upon me, as becometh, my Lord, your Lordship's most humble and obliged Servant,

A. KARR.

BESSYDE, 25 October 1646.

1646
December 19.

WALTER MURRAY to the EARL OF LOTHIAN.

MY LORD, I haue refaived your Lordship's lettir vith your brother, who is cum'd heir two days befor the wryting heiroy. His voyage, he fays, has bein fo crofe that he hes brocht bot littill monny vith him, fo that I moft furnifh him vith monny frome heir to Utricht, which fall be when he hes ftayed hear fume tyme vith me. He will varie hardlie leive vpon that pay a gentillman getts at Utricht and that your Lordship alloweth on him. The pay is no mor, as a gentillman of the companie, as 95 ftivvers, which, vith that your Lordship alloweth him, is not above 13 fhillings fterling. His dyet and lodgeing, washing, and evrie thing he hes to do vith, will not be gottin owt of thife, for he can not leiv lyck a particular gentillman that can by his victwalls himfelf, and mak them redie, fo that he moft neids go to dyet with luftenants and enfients. He is well known what he is hear. Utrecht and the Bufe ar publick plaifes, whaire ther is grit refort of people of goud fafhion. I fould be varie loth to refufe anny thing your Lordship defyreth of me; bot my chaarge in this country is mor then the means I haue hear can mentean, fo that I moft neads bring monnys out of Scotland as my brother knows: howfoever ther is nothing I can do for your Lordship's brother that I fall leave vndon to your father's fon and your brother, otherways I wold be a furnifer to non, fieing I moft bring monny owt of Scotland my felf. My brother can tell yow how dear his fone is to him hear, who hes both his lodgeing and dyet and foger's pay of me. Thufe, vith my fervis to your Lordship, I ref, your loving Uncle and Servant,

BUSE, 19 Defember 1646.

WALTER MURRAY.

To the richt honnorable the Earll of Lothian,—theſe.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

1646
December 22.

MY LORD, I have this day receaved two letters from your Lordship, both of the 15. I had not any these 3 weakes before. I wish the Earle of Bedford would otherways thinke vpon his buffines. It will not be any he hath made vse of heare, will preserve him ane interest in the estate of Fairniherst. I have noe intention of advantage to myself in any thing I propose concerning it, only that it may stand in the name, and that I may have what justly belongs to me out of it, and to purchase the rest. I have dealt with him, as likewise with my Lord Balmerinloch; he refuses me also, and after I had by letters dealt with him to receive from me full payment and releiffe for all his payments and ingadgments, and lately renewed the proposition by mouth, all the anfwere is that the Earle of Somerfett intended these lands for his sonne, sayd foe mutch to him in Scotland, and declared it att his death before witneses living and deade,—the Earl of Lauderdaill, your self, Mr. Henderfonne, and Sir Henry Gib, and that the will of the defunct is *sacro sanct* to him. (I vse my Lord's oune word.) Upon this I have putt a claime (which your Lordship shall have by the next, God willing) into a noble friend's hand to shoue my Lord, for I will vse all faire meanes with a persone I honor foe mutch; if they prevaill not, I thinke my title and interest better then his, and for that house to keepe it in the name and blood, I will sett vp my rest against all perones; and if my Lord Bedford thinke to gett advantage by the Lady Yester's death, I hope not to be a loofer by it, for shee posseses some lands I have better right to then the house of Fairniherst, which I intend to posses myself of. I shall by the next write more clearly concerning further dealing in the matter, and howe I proceed with my Lord Balmerinloch, to whom I desire your Lordship to write, that yow have heard of my desires and propositions to him and that yow expect his condycendence; and your Lordship would always clearly declare that yow never

hearde the Earl of Somerfett say he purposed to leave the estate to him or his sonne, and positively that my Lord Jedburgh made disposition of his lands to yow, which I have, and soe claime clearly your interest, wherein yow will expect noe hinderance from him, he being satisfied of all his ingadgments. In this straine your Lordship can soe much better expresse your self, that I will say noe more, but that saying yow might have had it and forbore to take it, for this or that respect, will much weaken what I intend. I gott in a late letter from yow something concerning your pension heare, wherein I can gett nothing donne to relieve me of 20,000 merks I must nowe pay for your Lordship, 14,000 to Doctor Seatone, and 6000 for which I was feurtie when I was att London, besides what I did my self when I was there, 350 lib. sterline, which treuly I borrowed and must pay likewise betwixt and Whitfonday next. This wilbe betwixt 14 and 1500 lib. sterline, which is an exceeding overcharge to, my Lord, your most loving and most obedient Sonne,

LOTHIAN.

EDINBURGH, the 22 December 1646.

For the right honorable the Earle of Ancram, att London.

1646
December 31.

WILLIAM KERR to the EARL OF LOTHIAN.

MY LORD, As your Lordship commanded, I went yesternight to John Campbell and reffaved that account frome him, which I dowbled 4 tymes, and delyvered a copy to every one of these your Lordship commanded me to doe. Your Lordship's lettre quhich I reffaved att 9 a clock immediately I delyvered. My Lord Craford told me he should heartilly obey your Lordship's desyres in your lettre. The Lord Register caused the Clark to the Barrones double the reporte, and directed, after it wes red in that House, that it should be sent downe to the Burrowes. The severall bodies mett at 10 a clock. The Lords have not endit itt, butt remitted it to the Parliament

quhich fitts att 3 a'clock. The Barrones have past all the first 3 articles; but to the fourth they fynd your Lordship hes refaved 2000 lib as weele as any other of the regiments in Ireland; for as your Lordship will perceave by John Campbell's count, the regiment refaived 1170 lib. sterling, and your Lordship 500 lib., which, together with William Thomfones 300 lib. band, quhich is apoynted to be retired, will make vp the fowme. My Lord Argyle, with severall of your Lordship's freinds, will study to gett ane end of itt this day, and I ame appoynted to attend your ansuer. My Lord Roxburgh wes vnweele this morneing, and did not come out: he will be at the Parliament in the afternoone, and told me he wold wryte to your Lordship. My Lord of Balcarres faves that he will be ready against to-morrow morneing to goe; he goes by Berwick, and the minifters with him. The comiffion and instructions wilbe ready this night. Garthland and William Glendoning will this night lett me know your refolutiones, quhich, together with what is done, shall this night, be it never so late, be signified to your Lordship by your Lordship's most humble Servant,

WIL. KERR.

This last of December 1646.

My Lord humbly called for your copy of the precepts.

AN ACT OF PARLIAMENT
IN FAVOUR OF WILLIAM, EARL OF LOTHIAN.

1647
January 1.

AT EDINBURGH, the first day of Januar, the year of God one thousand six hundred fourtie fevin yeares, The Estates of Parliament now conveened in this sext Sessioun of the first trienniall Parliament, having hard and confidered the report of these to whom WILLIAM, EARLE OF LOTHIAN, his supplication and accompts of the money acclaimed be him was remitted, they allow to be payit to the Earle, as Colonell of his Irish regiment, the fowme of three hundreth threttie three pundis vi^s viii^d monethly fra the tyme that regiment came out of Ire-

land, fens in Februar 1644 to Aprile 1645, the space of fourtein moneths, inde four thowfand sex hundreth threescoir sex pundis xiii^s iii^d Scottis money; as also they allow to be payit to the Earle of Lothian, as Governor of Newcastle in the first expedition to England, the fowme of one thowfand merkis Scottis, monethly, quhich was then the pay of ane Generall Major of foote, inde by the space of tuelue moneths that he was Governor of Newcastle, aucht thowfand pundis Scottis : quhilkis twa fowme of foure thowfand sex hundreth threescoir sex pundis xiii^s iii^d and aught thowfand pundis, extendis both to tuelue thowfand sex hundreth threescoir sex pundis xiii^s iii^d Scottis money, the Estates of Parliament ordainis to be payit to the said Earle of Lothiane, out of the second fiftie thowfand pund sterling of the last twa hundreth thowfand pund sterling payable be the Parlament of England to the Estates of Scotland. And for this effect they doe heirby assigne to the said Earle of Lothiane als much of the forsaide second fiftie thowfand pund sterling of the last twa hundreth thowfand pund sterling above specefeit; and sicklyke the saidis Estates, taking to their confideratioun that the fowme of three hundreth and fourtie pund sterling, advancit be William Thomfone to the Earle of Lothiane vpoun the Earle's band and actuallie debursit be the Earle, mentioned in the last article of the report, together with the remanent members of that article, the saidis Estates ordanies the forsaide three hundreth and fourtie pund sterling at the least to be payed out of the said second fiftie thowfand pund sterling; and doe heirby grant precept to the Thesaurer of the armie or vther publict intromittours with these moneys for payment of the three hundreth and fourtie pund sterling above specefeit to the Earle of Lothiane, that theirby he may releive his band granted be him of the like fowme to the said William Thomson, and the said William Thomfone may thair vpoun gett allowance theirow in his accompts with the publict: And The Estatis superceides the geving ansuer to the remanent members of the last article of the forsaide report, while the accompts of the Lord Sinclare and Laird of Laweris their regimentis be cleired.



1647.]

Earls of Ancrum and Lothian.

201

Extractit furth of the bookes of Parliament be me, Sir Alexander Gibsone of Durie, knight, Clerk of Register, vnder my signe and subscription manuall (*sic subscribitur*) ALEX. GIBSONE, *Cls. Reg^{ri}*.

Endorsed—

Copie of the Act in favoures of the Earle of Lothiane, 1647.

THOMAS CUNINGHAM¹ to the EARL OF LOTHIAN.

1647
January 8.

RIGHT HONOURABLE, Since the parting of my brother James Weir, and during his (now neare 9 moneths) attendance at Edinburgh, Newcastle, and other places, I have from tyme to tyme, by severall missive letters directed to the Parliament of Scotland, Committees of Estates, and at the Army and Commissioners at London, made knowne and ingenuously shewed the great extremitie and dangerous condition wherin wee were, and are still, by reason of those considerable summes of money, for the which wee have engaged our owne and friends' estates and creditts here among strangers, for the relief of our native countrey, in its greatest necessity; and that, in regard of the impatiency of our creditors (too often delayed and shifted), I was not able to hold out any longer, but vnder continuall feares to be publicly discredited, to the irreparable ruine of our selves and families, vnles the Kingdome of Scotland did prevent the same, by fatisfying and dispatching Mr. Weir with all possible speed. Which letters (at least some of them), I doubt not but have come to your Lordship's view, and therefore I forbear to repeat any further, knowing by experience (and by severall late missives from Mr. Weir) that your Lordship is

¹ Thomas Cuninghame, author of "The Thrissells Banner," 1640, factor in Campvere, was appointed by the Committee of Estates, Conservator of the Privileges of the Scottish Nation in the Netherlands, July 10, 1641. Through his agency, large supplies of arms, ammunition, etc., were transmitted to Scotland for the use of the Covenanters; and in July 1647 the Committee of Estates acknowledged him and his partner, James Weir, as creditors to the amount of £179,420:17s. Scots money.

not ignorant but verie sensible of our sufferings, only I make bold to intreat your Lordship to beleve that both my owne expreffions and Mr. Weir's relations come farre short of what our desperat condition calls for,¹ there being a vast difference betwixt vs, who live and are ingaged here, and such as live and are ingaged at home, where they can be protected by the state. And in a word, my Lord, vnles James Weir gett present satisfactiō, that so by his seasounable returne wee may be tymoullie relieved, wee and our families are totallie vndone, for the only and last refuge wherby our creditors are yet diswaded from putting at vs, is the assurance I have given them, that Mr. Weir was allanerly staying vpon the first moneys comming from England, which, now being sent, wil produce our standing or falling. And, therefore, I have presumed so freely to lay open our present danger vnto your Lordship (to whom our faithfull services are knowne to have deserved a better reward), and humblie to crave your Lordship's best aide and assistance, to the end that Mr. Weir may, vpon no condition, be disappointed at this tyme; for the Lord is my witnes that the only meanes for preventing our destruction is his speedie and satisfactorie returne, and that these lynes are written from a sincere and sad hearte, protesting before the Almighty, that if I did know any other way of safety for the preservation of our creditts, none would be more vnwilling to trouble the state or your Lordship with these or such-lyke complaints, or vnpleasent remonstrances, then hee who desires to be reputed theirs and your Lordship's faithfull and humble Servant,

T. CUNINGHAM.

CAMPVERE, 1647, $\frac{8}{18}$ th January.

For the right honorable the Earle of Lothian,
for the present at Newcastle.

¹ This appears plainly from a MS. volume in the Editor's possession, in which Cunningham, as "Commissioner and Agent for Scottish Affairs in the Netherlands," as well as Conservator (see note, p. 201), transcribed all his correspondence from 1640 to 1654.

J. KIRKPATRICK to the EARL OF LOTHIAN.

1647
February 2.

RIGHT HONORABLE LORD, I, amongst many others, doe gladly enjoy the fame of your honourable vertues, vnto which all our Nation must acknowledge a common obligation. But I, in a more speciall manner, for the singulare truste reposed in mee touching your brother's breeding : whose owne carriage (so farr as I can yet perceive) is such, as shall hereafter need but small recommendation from any his noblest friends. Neverthelesse I entreat your Lordship be confident of my care, whereby I shall endeavour to acquite myselfe according to your desirouse expectation, not onely in this, but even in whatsoever else, yow shall be favourably pleased here to command the duety and dilligence of your Honour's most affectionat friend and servant,

J. KIRKPATRICK.

UTRECHT, 2 February 1647.

To the right honorable and noble Earle,
my Lord the Earle of Lothiane, at Newbotle,—these.

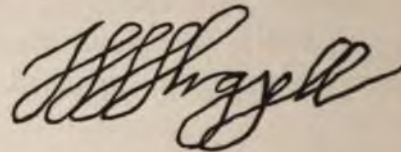
ARCHIBALD, MARQUESS OF ARGYLL, to the EARL OF LOTHIAN.

[1647]
February 5.

MY NOBLL LORD, All who wer with you at Newcastle ar now her, and I finde the 2 main designes ar for Commissioners thair, and Committee men her, but He sits aboove that gwyds purposes, and others shall not be wanting in thair dewitie. My difficultie is with theis I heaue neer relation, always wee must look to the caus and not the perfon; any may see industrie her to bring ous in confusion, but God can and will mak sum fall in the ditche they prepaire for others. When wee cum to any resolution your Lordship shall hear of it. Your Lordship knowes the constant desyr of honest men that his Majesty might both get and give satisfaction. Now is the tym for him, and as it was ever my advyce to himself to doe theis things wold

fatisfie all, at leift what all agree upon, my weak opinion is ftill the fame, for as maters ftand by indeavoring to divyd the kingdoms he forces them to the nearer union; many tymes to the prejudice of that he thinks his intereft. It is fit, fo far as your Lordfhip can, that you give him your advyce, for thair is non her that he judges moft oppofit to him, bot wold be glaider to fee him doe that which might preferve himfelf, nor men that flater him moft; for wee love the King. I will troubl your Lordfhip no mor, but with the prefenting my fervice to my Lord Pembroke, Sir Walter Erle, M. Kerew, Sir Jhon Cook, and M. K. Marshall and your colleague.¹—I am, your Lordfhip's affectionat Uncle and Servant,

EDINBURGH, 5 February [1647].



1647
February 16.

A. KARR to the EARL OF LOTHIAN.

MY MOST NOBLE AND GOOD LORD, Being upon Saterdag laft martched the lenth of Galowsheils, on our martch towards the weft, quher we hard from the Generall we wer to halt, till we should receave our recruits. This unexpected order cam to our hands, as it feimes procured be my Lord Sinclar, for what intent I know not; bot upon the devulging of this order, he is gon fair to lofe his own regiment, who being at Peibles, hes mutined and forced ther officers to pay them ther monay, thereafter threw down ther armes and moft

¹ "The time prefixed for the removal of our army and the furrendering of the garrifons approaching, the Parliament of England fent to Newcastle fome commiffioners—viz. Pembroke, Danby, Monteagle, Mr. Harrifon, etc., with fome minifters, Meffrs. Marshall, Caryll, etc., to attend the King in his journey to Holmby-houfe. Likewise the Parliament of Scotland appointed Lothian and Garthland to wait on the King, until he came to Holmby-houfe." (*Life of Robert Blair*, Wodrow Soc., p.195.)

pairt ar runaway,¹ at leift they ar not now passing our number, bot still he aimes to martch on, though he were not 5 men in on compané. Heirupon I cam to Edinburgh, and hes acquainted the Generall how this suddin martch was alltogether without our consent and defyr; who, with my Lord Argyle, hes advyfed me to give in a bill defyring a present recruit, or at least to designe us a place wher to quarter, till they have further conveniencie for it, and not to urge our present transport; for if we fall be put to it, it shall be als evell, if not worfe, as with my Lord Sinclair, the most pairt of thes we have together being such as hes expected sum small advancement by the recruit, quhich being denayed fall not only mak them refuife, bot also carie the rest away with them. I have prepaired the defyr, bot can not as yet get it presented. Thus I know not what effect it fall tak; bot I most humblie intreat your Lordship's opinion in this particular. I wret to Captain Borthwick your Lordship's pleafour concerning him, as my lieutenant collonel gave me orders, bot as yet I hear no anfueir from him. It feims Captain Herris hes intention yet to go on with Sir Robert Murray, he sees so littill probabilitie for our recruit. Bot ther is on Captain Scot, yunger of Bowhill, who hes promised to bring us in a company of 80 men compleat, if your Lordship will give him a commiffion. Your Lordship wald be pleased also to resolve us in this particular. As for the Robert Kerrs, they are willing to go on, bot it feimes they will tak no paines till the men be fitted for them; bot if any shall happen to offer such conditions as Captain Borthwick or Captain Scot, your Lordship wald be pleased to informe us what way to carie our felfs towards them.

¹ "In Februaire 1647 . . . the Scotch armie marcheth to Scotland, and is modelled in seven regiments of foot, thretteene troops of horfe, and three companies of dragooners. All the rest are disbanded. My Lord Sinclair's regiment is ordered to goe back to Ireland. They [mutinied?] by the way at Peebles, and some runne away. Quarters are appointed for them and E. Lothian's regiment in Galloway, till I went over to Ireland, to try whether Monro and his officers . . . wold make us welcome or not." (*Turner's Memoirs*, Bannatyne Club, pp. 43, 44.)

As for the inferior officers who desyres to be in the regiment, I find a grit deall of coldness in thes who war earnest befor; bot if onc the recruit be condiscended upon, ther will be enew of thes fuiting for chairge. So for the present I can not give your Lordship that list was requyred. I most humblie bege your Lordship to heasten such reafolutions towards us as your Lordship shall think convenient. Gedion Waughup delyvered us two bages of our monay, quhich as I can accompt pays not the present officers and foldiers be 3^{lib} 15^s, bot if any thing be wanting, it fall want to me. The officers who formerlie had any advantage by the regiment takes it a littill harsh to be frustrat now, when they expected sum what of worth, especially William Dowglas that he sould hav no mor arreirages then on of the fergents of your Lordship's other regiment: as for me, I have resolved (sinc what I have by my fortun is from your Lordship's favour) never to repyn at any thing fall com from your Lordship to, my Lord, your Lordship's most humble and obliged Servant,

A. KARR.

EDINBURGH, 16 February 1647.

For the right honorabill
my noble Lord and Collonell the Earle of Lothian,
at Holmbie hous or elsquher—these.

1647
February 21.

The EARL OF LOTHIAN to the EARL OF ANCRAM.

MY LORD, This day betwixt fermons I receaved your letter of the second of this month, and one inclosed to the Earle of Pembroke, which I gave him; the other, to Mr. Ashuft, whoe is in Scotland, I returne to your Lordship againe. I have not written since Sir Henry Gibb left vs, nor had I any matter or purpose vpon the highway, nor since I wrote particularly by him in anfwear of your Lordship's letters. I shall in your busines doe alwayes all is in my pouer; and I wrote in what condition I was, and what was my share of the greate summes came to our armie. I must manage and husband my credite

well, els it will not prove greate. I have not mutch att London, or none. But what I can doe where I am, by the first occasion I shall doe it, and noe more I can doe, if my lyfe were vpon it. If I gett not a good occasion speadily, I shall fend ane expresse. I thought I should have beane relieved of this imployment I am in erre nowe, but I heare nothing yett out of Scotland; my oune particulars call earnestly for me there, and I long to be diffingadged. I wrote to your Lordship by Sir James Levington, or about the time he came vp, and I sent a writt for your Lordship to subscrybe which I will have vse of. I wonder I have not hearde in that particular. If it have come to your hands (as I was curious to gett a sure messenger for it), I pray your Lordship hasten it to me, or lett me knowe why it comes not, or whither any futch thing came to your hands. I am soe farre ingadged in the matters of Phairniherst, which that writt concernes nearly, that I must through or lye by the way. Yett I will goe about it, soe that it shall bring as good as I give for it. I can nowe say noe more, but that I am, my Lord, your most lovinge and most obedient Sonne,

LOTHIAN.

ALTHORPE, the 21 of February 1647.

For the right honorable the Earle of Ancram, att London,—these.

ARCHIBALD, MARQUESS OF ARGYLL, to the EARL OF LOTHIAN.

[1647]
February 23.

MY NOBLL LORD, Whither my letters cum to your hands or not I resolue to wret by the ordinar pakket. I haue seen no letters from you since you went from Newcastle: sum endeavors ar used that no Commissioners at all shall be in England, but that is becaus they imagin it will not be thair mynd: howsoever we ar not yet fallen vpon any such busines. The directing and provyding for our army has taken up muche of our tym since thair cumming to this kingdome. Generall Major Holburne is appointed. Generall Major to the foot,

but wee ar lyk to heaue ane ill commpt of them. The Parliament heaue appointed your Irifch regiment to march to Ireland, doe what fum of ous could, but thair is nothing can be defyred for them going thair; but I houe it will be granted for the neceffitie of the kingdome is the onli argument carried it in Parliament. As any other thing occurs fitting for your Lordship's information you fhall know it. The Englifche Commiffioners cam her on Saturday. A committee vifit them this day from the Parliament. I pray God difpofe all weall whair you ar, and wee will be the better her. Remember my fervice to your colleague, and command me as your Lordship's affectionat Uncle and Servant,

A. M. ARGYLL.

EDINBURGH, 23 February [1647.]

For the Erle of Lothiane.

1647
February 23.

A. KARR to the EARL OF LOTHIAN.

MY GOOD LORD, I am forie I can give your Lordship no better accompt of our paines with this Parliament. We have laboured by your Lordship's freinds to have that order (quherof I am confident the dowble is comed to your Lordship's hands or this) only superfeided for one moneth, bot in vain: of neceffitie we moft aither presentlie martch or difband, for the kingdom (fays the Parliament) fall no longer be affected with our burthin of quartering. In this neceffitie the Leivtenant Collonell is refolved to caft the remanent of the ten companys into 5, with one for your Lordship, one for himfelf, one for me, and one for Captain Dowglas, and one for any other of thes Captans your Lordship hes nominat who will presentlie ingaige; and as we conceive will do moft for the ftanding and making up of his company; for now it is thought fitteft to ingaig with fuch officers as can do moft for the ftrenthning of the regiment. Captain Heris is now fullie ingaiged with Sir Robert Murray. Captain Borthwick is difbanded by order of Parlement. Captain

Stewart is ingaiged in this new modell, and Captain Eliot lykways ; bot he hes intention to quyt, if possible he can, and com in to us. Bot when the recruit is granted, I beleive your Lordship fall find small deficulltie in finding others to supplie there rowmes. As for the leivtenants and ensignes, we can give your Lordship no list, becaus we know not yet who will ingaige ; bot the Leivtenant Collonell resolves, they fall be aither such as hes served formerlie in on of your Lordship's regiments, or such as fall bring in men to the regiment. By this casting the regiment in fyve companyes, and placeing inteir officers upon them, we conceive the officers fall not only be painfull to keip together thes they have allredie, bot labour to strenthen them. And when they com over, subistance can not be denayed unto them, tho ther numbers wer never so small ; and fhall be honorabill enough for a leivtenant collonell, or a major to go over commanding them thus, tho ther numbers war never so small ; for it is resolved that aither the Leivtenant Collonell or I fhall stay and attend the Parlement's pleafour concerning our making up. Therfor what your Lordship is pleased to command us to do heir-anent shalbe weiklie attended at this place. Fearing further to truble your Lordship, I am, my Lord, your Lordship's most humble and oblidged fervant,

A. KARR.

EDINBURGH, 23 February 1647.

For the right honorabill
my noble Lord the Earle of Lothian.

To be delyvered to Mr. Cheislie, Secretarie
to our Commiffioners at London ; and
by him to be fent to Hollmbie house, or
wher he hears his Lordship is.

ARCHIBALD, MARQUESS OF ARGYLL, to the EARL OF LOTHIAN. [1647]
March 9

MY NOBLL LORD, I affoor you the want of your regiment recroots is non of my fault, for all that was donne in relation to any of theis

Irish regiments was against my mynd, for they had ordor instantli to go, without regaird ather to thair subsistence thair, or recroots her; always they ar in this fyd of the sea as yit upon quarters, and I affoor you they shall want nothing whairin I can serve them. We ar upon the instructions for sending to his Majestie. Whither the old Commission continow or not, your Lordship, I beleeve, will be commanded to joyn in proponing our desyrs to his Majestie; but I confes I cannot learne if your Lordship shall be commanded to stay constantli or not. This is in heast, for the pakket is cloasing; and I am, your Lordship's affectionat Uncle and fervant,

A. M. ARGVLL.

EDINBURGH, 9 March [1647].

Let this present my service to Garthlan.

For the Erle of Lothian.

1647
March 11.

The EARL OF ROXBURGH to the EARL OF LOTHIAN.

RIGHT HONORABILL AND TREWLIE HONORED CUSSING, Your Lordship wilbe pleased to excuse that I use ane other hand nor my awin in this bisines, whiche concernes me in ane verie particular way be the deathe of Mr. Williame Bennet,¹ leat Persone of Ancrum. I pray your Lordship in respect of your interest, that ye wilbe pleased to haue cair (as I doubt not bot your Lordship will) that ane modest and sufficient man may be brought to exercise that chairge. Yit that I may be quantit be your Lordship befor the persone be determined upoun, that I may not haue any new occasion of questioun with him who your Lordship fall lyk of. I find your Lordship alluayes so courteous and kynd that I am confident (not wronging your selff) your Lordship will confidder my interest, whiche fall never be pretendit to prejudice youres, bot to fadle my awin in ane reasonable way. If your

¹ William Bennett, A.M., was presented to Ancrum in 1622. He died, as appears from this letter, in the end of February, or early in March, 1647. His successor, presented by the Earl of Lothian, was the celebrated Mr. John Livingstone. (See *Scott's Fasti*, vol. i. pp. 483-485.)

Lordship's occasions stay yow where ye ar, or procure your Lordship goeing farder South, I intreat that I may heir from your Lordship, whom ye will imploy in this particular, and that ye will be pleafed to write to thame, that I may be acquaintit with the cours fall be followit in it.

I haue fent to your Lordship's Laidy, the chartour and feafing whiche concernes the landis of the Chepall. Your Lordship will find that I fall be reddie to doe more to testifie my thankfulnes for your Lordship's kyndnes schowin in my bisines. Mr. Williame Murray, be advyce of lawieris heir, hes renewit in ane more legall way his resignacioun; bot he hes done it in fo kynd and noble a faschioun, that the way is more oblidgeing nor what benefite can be reapit be it. Sir Johne Scot hes gevin in a bill to the Parliament in ane verie tumultuous manner, haiveing buffilie acquyrit the handis of many feverall perfones preffing the annulling of the superiorities of all Erections, and that no new grantis may be allowit in thame to interpose any perfone betuixt his Majestie and the feweris. His bill hes many other clausis in prejudice of the rightis of Erections. It hes haid hitherto great affistane and countinane in our Parliament speciallie be our barrons and burgeses and some noblemen. What the conclufione will prove, I know not for the present, bot the worst may be iustlie fearit. I haue spokin with the Marqueis of Argyll concerning your Lordship's interest. I haue seene no other whom I could tack notice of in it. His Lordship trewlie is verie sencible of what concernes yow, and in this bisines it selff verie favorable, thinking it ane unfit and untymlye propositioun. All other bisineses heir I hope your Lordship wilbe more particularlie advertisit of thame, nor can be expectit from your Lordship's affectionat Couffing and servand,

CANNOGAT, ii. of Marche 1647.

ROXBURGHE.

To the right honorabill my trewlie honored
Cuffing, the Earle of Lotheane.

Recomended to the deliverie of Mr. Robert Barclay,
one of the Scots Comisioners at London.

[1647]
March 15.

CHARLOTTE DE LA TREMOILLE, COUNTESS OF DERBY, to the
EARL OF LOTHIAN.

De Chelfey, le 15 de Mars 1647.

MONSIEUR, Enuoyant ce gentilhomme sçauoir des nouuelles de Mr. de Pembrock, je luy ay donné charge de resevoir vos commendemens et vous dire comme j'estime à vn très-grand bonheur pour moy vostre prefance en ce royaume, puisqu'il vous a pleu me temoigner que vous preniés intrest aux affaires qui m'amènent ici, où nos amis me conseillent de ne rien entreprendre jusques à ce que les commiceres d'Ecosse foyent ariués; à quoy je me suis resoluë, puisque j'espère en ce tant-là de vous voir et que vous me ferés l'honneur de me donner vos auis, ayent charge expresse de Monsieur mon Mary de les fuiure, n'y ayent personne en qui, luy et moy, prenions plus de confiance qu'en vous, Monsieur, qui me ferés la faueur de croire que je n'oublieray jamais les obligations que je vous ay: qui me fera vous estre toute ma vie, Monsieur, vostre très-humble et très-affectionnée seruante,

A Monsieur

Monsieur le Comte de Lowden.

C. DERBY.

[1647]
March 17.

ARCHIBALD, MARQUESS OF ARGYLL, to the EARL OF LOTHIAN.

MY NOBLL LORD, I can hardli expres to your Lordship the difficulties sum men ar put to, to carie on busines her; many being so weak, others so full of by ways and malice to men who heaue served thair countrie, so far as God inabled them, with faithfulness. Of that number your Lordship wants not your shair of the burden; the Parliament's commands to your Lordship hes been prest with all earnestnes, but it is not yit obteneed. That which I hear is aimed at, is onli to command you and your colleawg to joyn in presenting the proposition to his Majestie, and to returne with the answer, and this sam wants not grumbling. I houe allowance cannot be refoofed to you as to others, but wee resolve to mak it the last act for your Lord-

ship. We ar hastening to ane end of this Session of Parliament, and fo heave the nixt the first Session of the 2d trienniall Parliament. Thair is a great busines mad about the superiorities of erections, which is followed by the most pairt of the gentrie and burrowes, and opposed by many noblmen. I think it shall resolve on a stop for passing any in tym cuming, and delaying to determin any thing for what is past till the nixt Session of Parliament. I pray God give his Majestie a heart to grant the desyrs of his subjects as the best cure vnder God that I know for himself or ous. So, remembring my service to Garthlan, I am, your Lordship's affectionat Uncle and Servant,

A. M. ARGYLL.

EDINBURGH, 17 March [1647].

Concerning your oun affairs and the old Lady Yester's health,¹ yow will hear by others.

For the Erle of Lothiane.

SIR WILLIAM CARR to the EARL OF LOTHIAN.

[1647]
March 19.

MY LORD, Efter a long and most difficult march, we are now come within 4 mils of Portpatrick, where I founde this occattion to writt to your Lordship, much deseiringe yow should knowe how we haue ben threattend away, without any so much as incuradgment of supplie whatsoever. I will spair the repetision of fume most eminent for this present of our Parlament, vntill God Almightye shall bring me wher your Lordship in due time may be meett withall; then you shall haue a full accoumpt of our particulare profidings, and for the presant only aquent your Lordship that nether Captain Borthick nor Stewart did come, as they might haue done, vnto vs; and because of that and

¹ Lady Margaret Kerr, daughter of Mark, first Earl of Lothian, was twice married—first, to James, seventh Lord Hay of Yester; and second, to Andrew, Master of Jedburgh. She died March 15, 1647 (two days before the date of this letter), in the seventy-fifth year of her age.

other confiderations to make vs stand in the full eftime of a redgiment wee haue caften thefe men ware left into 5 companys, as Collonell and Lieutenant Collonell and Major; on for Mackulow, the other to Captain Douglas, and iff Mackulow will not imbrace, Robert Carr of Grenhead will bee readdy for itt; lickwife in our march ther came a very honeft gentillman vnto vs, cald Captain Jhonfon, being recommended to me by my Lord Kilcubright; who alfo hath mynded for him that in fo much time as our condition hear fpeſifies, he will bringe to vs a full company with armes, which I hope your Lordſhip, confidering the condition wee are in, will thinke an ill bargaen, and hauinge ſum hope to receue att our landinge in Irland 80 men we heare Captain Mackulow hath gott together, with another company allreddy compleat of young Ocherton's, to whom I haue writt, as lickwife to Mackulow: Theſe being brought together, I doubt nott in very ſhort time too make a redgiment maugre oppoſition (now my humble defeire is your Lordſhip will giue your approbation to this liſte, that we may be the mor incuradg'd in the midſt of ſo much miſſerie, which ſhall nott att all trouble me iff yow be pleaſ'd, and with your commands retturne this incloſ'd that we may doe euery thinge in orderr). Havinge don heare, I intritt your Lordſhip preſent my duttie to your Father, and my ladie, and your ſiſters. I haue no time to writ to them, this bearrer is in ſuch [haſte]. We only ſtay for meall and bootts, and Major Turner's retturn from Irland, who we haue ſent ther to make our way, having with him our letters from the Parlament and the Generall, to the Generall Maior. Thus confuſdly I am forſt to end, but ſtill remaining your Lordſhip's moſt humble Servant and Cuſen,

WILL. CARR.

CHAPELE, this 19 of March 1647.

The Major would haue writ to your Lordſhip, but he hopes this will ſuplie his duttie and your Lordſhip's trouble for this time.

To the right honourabill the Earle of Lothian,
att Holmby Houſe or elſewhear in England.

ARCHIBALD, MARQUESS OF ARGYLL, to the EARL OF LOTHIAN.

[1647]
March 25.

MY NOBLE LORD AND DEAR NEPHEW, Thair hes nothing occurred her since you partied worth your troubl to read, onli Collonel Lichton cam along with the appeerand Erle of Roxbrough. He had a letter from the Duk of Lorrain, but the ship being to return befor the Committee day, he could not stay the reading of it in publik nor the returne of a answer, which doubtles it will get, being onli a civill complement. He had a letter of trust from the King, and hes spoken to my self in many things. I houe he will not say he can be vnsatisfied with any thing he hes met with her. Mr. Murray is to goe along in the ship if you will trust him, and his legali that he promifs me of sum good bottls of wyn maks me beleeeve it may be so.

I pray God blis your employment; much depends on it. The leatest leter I had in relation to Irland is cloased in Sir Robert Murray's leter to you, for I thought the ship had been going on Saturday and I had no leasur. You know my affairs that day. I intreat your Lordship let my mears be fyn though you put me in sum debt for it. I hear my neece recovers. I am to goe to Argyll for a tym, so your Lordship nor your colleagus cannot hear often from me, so I shall defyr this may serve for presenting my service to all and giving affoorance that I am your Lordship's affectionat Uncle and Servant,

A. M. ARGYLL.

EDINBURGH, 25 March [1647].

For the Erle of Lothiane.

ARCHIBALD, MARQUESS OF ARGYLL, to the EARL OF LOTHIAN.

[1647]
April 7.

MY NOBLE LORD, I had your Lordship's from Althorpe, the 28 Marche. I hear mucche cair was to dispatche the Parliament's letter to your Lordship unknown to any here, and without the warrant

for paying yours or your colleague's allowance, which I heave requyred the Clerk Register to heaft to your Lordship. The end of our Parliament was the madeft bufines that ever your Lordship faw. Many honeft men went away after they conceived the moft materiall bufinefs wer ended, and all others ftuk clofli by it till the laft man, and fo fum could heave caried in my judgment what I will not name. It went very neer to heave a claus in the Commiffion for the Committee to depofe any for not attendance, and put any other they pleafed in his rounge. Your Lordship will fee my laft intelligence from the north in the Generall Lieutenant's letter. I heave not, nor fhall not, be unmyndfull of the particular you mention, but I muft fay you ar ill met. I will troubl your Lordship no mor for the prefent, but affoor you I am, your Lordship's affectionat Uncle to ferve you,

A. M. ARGYLL.

EDINBURGH, 7 April [1647].

I intend, God willing, to goe this day toward the north to wait upon the Generall Lieutenant.

For the Erle of Lothiane.

[1647]
April 21.

SIR RICHARD GRAHAM¹ to the EARL OF LOTHIAN.

MY NOBLE LORD, I condole my misfortune in missing of you feuerall times where I was to haue waited on you at Worfter houle. My occasions haftens my returne to the northe; now takeing my journeye northward; therefore giue me leaue by thefe to prefent my fervice to you, affureing your Lordship I am very fenfible of your loue

¹ Richard Graham, Esq., Gentleman of the Horfe to James I., was created a Baronet, March 20, 1629. He owned large eftates in Cumberland. He espoused the Royal caufe, and was feverely wounded at Edge-hill, in October 1642. He died in 1653.

and kindnesse to me, when I was prisoner at Yorke; for which you haue ever power to command me. My Lord, you are acquainted with the insolencies of the mosse troopers committed in the middle sheires; therefore, as you are most powerfull to direct a way to suppress them, be pleased for the good of those countryes to speak with my Lord of Northumberland, whose interest there is greate; and putt on a joynte commission betwixt the Kingdomes to such as haue most interest in their fortunes on both borders. This will route out that disorder quickely, and will giue me a power by commission to cause them to putt to their hands for regulateing the abuses, without excuse. This is my opinion, which I commend to your Lordship's consideration. Craueing your pardon for this boldnesse, with my service to you, I rest, your Lordships humble servant, whilest I am

Aprill the 21th, 1647.

RICHARD GRAHAM.

I have spoaken to my Lord Northumberland to this purpose.

To my most honoured Lord
the Earle of Lowthian at Worster house, these.

A. KARR to the EARL OF LOTHIAN.

1647
April 29.

NOBLE AND MOST GOOD LORD, I am aither much affrayed of your Lordship's displeasour, or the miscarriage of my letters, that sinc your Lordship's depairtur from us, I had never one lyne from your Lordship's hands save once. My last from Strenrawer shew your Lordship the misfortunes I feared, upon our joyning with the other regiment, quhich now is fallen upon us. I am confident Sir William Ker¹ shall give your Lordship an accompt what is done towards your Lordship's regiment. Yet for my own exoneration (who is promised small thanks from your Lordship for my so much opposition of ther

¹ Sir William Kerr seems to have acted as Lieutenant-Colonel of the Earl of Lothian's Regiment. In his own letter (p. 213) he signs himself "Will, Carr."

courfes), I fhall declair to your Lordfhip the certantie of ther procedor. Major Turner being fent to Irland to Generall Major Monro, to know the place of our quarter and fitteft landing, returned with a derect refuifell from the wholl officers of that army, that we fhould have any entrie amongft them, pretending inabilitie, not unwillingnes, to give us quarter, nay not fo much as of houfe rowm, except we got it from the Inglishe in Isle of Kaill. Wherupon Captain Chirnsyd was fent to Edinburgh to my Lord Sincklar, that he might delyver a letter of the officers of the army to the Parliament declairing the caufes of ther refuifell, togither alfo with a letter of ours, intreating my Lord Sincklar to procure us an order (feing he faw it for the prefent impossible to paffe over) to quarter in fum place of this kingdome, and our mentinence fould be upon that meill quhich was appoynted for our transport. Bot that grit partie of our good freinds gained us abfolut denayell that we fould have any quarters in Scotland at all, wherupon the Commiffioners from Galloway procured an order to transport our felfs out of the fhyr within thrie days after the fight therof, otherways to difband; and if nather, to be reputed common enimies to the publiēt and fo proceeded againft. And if we went over, the meill formerlie appoynted was for our transport and mentinence ther—if difband, to be given for the ufe of the officers; bot if nather, the fhyr was to feafe upon it and pay our quarters with it, which formerlie we had receaved aff them. To this effect my Lord Cafells receaved a commiffion for raifing Carick and Kyle, and cam waft to joyn with Galloway, that if we difobeyed in the leift they might have difarmed and difmiffed our fouldiers, taken the officers prifoners, and taken from us our meill. This unkyndlie delt the Eftait with us.

Upon fight of this order the officers of both regiments met. My Lord Sincklar's officers wer all for difbanding, as I conceive, being difcouraged with the mutaning of the fouldiers, and ther fmall numbers, the 5 companies of your Lordfhip's regiment being at that tym als ftrong as ther ten. Befyds by ther difbanding the wholl arreirs of

the souldiers fell in the officers hands. Bot why we should have followed ther example I can hardlie see, who had not that advantage to looke to. It was told us, the wholl army in Irland was instantlie to be disbanded ; I ansueired, it was our credit to be in that condition when they wer so, and for my pairt I saw not how they could be ansueirable to ther Collonell to disband thes regiments befor they wer acquainted. I was told, if I would tak upon me to do that within the tym affixed, it was weill ; if not, they wished we proved not thes fools as both to fall in question with the shyr and lose our shair of the meill. I ansueired, the order was alternative, and we neided not do aither. Befyds, I offered to Sir William Ker (who him self declaired he had a necessitie to go for London), give me our proportion of the meill, and I, with the rest of the officers who wer all most willing to go over with me, should carie over the regiment, tho' we should hutt in the feillds, till we saw what should becom of that army. I was ansueired, that could not be done in so short tym, for so we should fall under the certificat. And, to speik trewlie, we neidlelie drew manay necessities upon our selfs quhich was not imposed by the order. When we saw ther was no possibilitie to prevein what thes who commanded had designed, we creaved for our exonérations, at your Lordship's hands, each on a particular order under his hand, quhich when I shall have the happienes to see your Lordship, I fall, God willing, show : then your Lordship's leivtenant, Captain Dowglas, and I, went and commanded out of our thrie companyes 8 ratt of men, with a few days' meins, who, with thes of Captain M^cCulloch's, went over as on or two of your Lordship's companyes, with two leivtenents, Leivtenant Robert Ker, Leivtenant Robert Wright, one ensigne, and thrie sergents. They wer to receave command from Captain M^cCulloch, who promised to do all he could for ther subsistence to keip them together within his lands, as Orchertin does his, as on or mor of your Lordship's companyes, tho' they should receave no mentinence of the Estait, till he saw what should be your Lordship's pleasour anent that regiment. This is the trew, tho' tedious, relation of our brave

buffines, and all could be done by me for keiping your Lordship's interest in that countrie by that regiment.

Now, my Lord, if that army in Irland be to be disbanded, I humblie creav your Lordship's pardon for my oppossition of the so seasonable dismissing of your Lordship's regiment; and if not, bot that your Lordship's regiment be to stand as formerlie, we humblie desyr your Lordship wald fend us down an order for apprehending of our run-aways; or your Lordship wald be pleased to wryt to the Committee of Estaits to grant us an warrant heirfor, and the countries receaveing them into ther prisons; and we shall oblidge our selfs to carie over in a moneths tym, verrie neir two hundereth of them. This wald be done (if it wer your Lordship's pleasour) in heaft, leift thes who ar over alredie, dispair of any mor of our overcomings, and separat: however, I humblie bege to know your Lordship's pleasour heirinto, who am, my Lord, your Lordship's most humble and oblidge servant,

MELROSE, 29 Apryle 1647.

A. KARR.

For the right honorabill
his most noble Lord and Collonell
the Earle of Lothian at Holmbie Hows or London—these.

1647
May 16,

A. KARR to the EARL OF LOTHIAN.

MY NOBLE AND MOST GOOD LORD, Being returned to Edinburgh in confidence aither to have had the happenes to have sein your Lordship, or certanlie have hade your Lordship's ansueir to my last, unfortunatlie I find this other,—my letter neglected in the packetshop, whos keiper I can not bleam so much as thes to whom I intrusted it. I am hartilie forie it should not have bein in your Lordship's hands or this, and now will truble your Lordship with no repetition of what is in it, only humbly desyr your Lordship's pleasour anent your Lordship's regiment, that if it be a standing regiment and that army be not [disbanded] your Lordship aither wald be pleased to

wryt us an order for the apprehending of our runaways, wherof a grit number is to be had, or to wryte to the Committee of Estait, that they would give us a warrant for gathering of them together and imprisoning of them upon the publick expenss. Bot if we knew whither the army in Irland stand or not, we sould be doing without any warrant save your Lordship's. My Lord, this seiming disbanding does so cast my brother and me in suspence as we know not what to do. To seik for employment till wee see what fall be your Lordship's resolutions wer in us, both baifnes and ingratitude, and without service we ar not able to subsist. Therfor if it fall that our army in Irland be reduced or modalized (as we hear a word of heir), and your Lordship keip interaist therin, we ar confident your Lordship will be pleased to remember thes who hes only ther particular relyance upon your Lordship, and under whom we had the beginnings of our poor fortunes, quhich at the best, with our selfs, we do and shall devoat to your Lordship's service as becometh, my Lord, your Lordship's most humble and oblidged fervants.

A. KARR.

EDINBURGH, 16 May 1647.

For the right honorabill
his most noble Lord and Collonell
the Earle of Lothian, at London—these.

MARIE DE LA TOUR, DUCHESSE DE THOUARS,¹ to the
EARL OF LOTHIAN.

1647
May 17.

MONSIEUR, Les tesmoignages que j'ay receus de vostre bonne volonté lorsque j'ay eu l'honneur de vous voir en cette ville, m'ont donné grand sujet de joye, quand j'ay appris combien vous poués contribuer à la satisfaction de Monsieur le Comte Derby par le credit et la creance que vous aués en vostre Parlement, et que defjà, il

¹ Marie de la Tour, daughter of the Duc de Bouillon, married her cousin, Henri de la Trémoille, Duc de Thouars, brother of Charlotte, Countess of Derby.

à reffenty les effects de vostre afection. Je vous en fuis extremement obligée, et vous supplie de luy continuer vostre assistance et vos bons offices, en forte qu'il puisse persuader Messieurs du Parlement de ses bonnes intentions, et par ce moyen reftabli sa maison en son premier estat. Madame la Contesse Derbye me mande qu'elle employe tous ses soins et ses amis pour cela, et qu'elle vous a de fortes obligations. Nos interets sont si conjoints qu'il ne se peut que je n'y prenne beaucoup de part : aussy rechercheray-je avec grand soin les occasions de vous en temoigner mes reffentimens par mes seruices, et que je suis, Monsieur, vostre très-humble seruante,

MARIE DE LA TOUR.

A PARIS, ce 17 May 1647.

A Monsieur,

Monsieur le Comte de Lothian, à Londres.

1647
December 5.

ALEXANDER KIRKTON and OTHERS to the EARL OF LOTHIAN.

RICHT HONORABILL, Albeit your Lordship be informit that Robert Stewart, trouer under Generall Lovetennent Leslie, being committit to waird within the Tolbuith of Jedburgh upoun Thursday last, for killing of umquhile Williame Tait, servand to the laird of Hunthill, conforme to ane warrand gevin be the Schereff of Tiviotdaill to us; about the number of thriefcoir trouperis came yisternight, being Saturday, the fourt of this instant, in the nicht season, with swordis, petrellis, and pistollis, all our toun being in bed (except faxtene perfonnes upon the watch), to the said Tolbuith, and hurt thrie of our watchmen and straik up the Tolbuith doore with foir hammeris, and tuik away the said Robert Stewart with ane pair of ironis upon his leg; thairfoir all our recourse is to your Lordship, humblie desyreing your Lordship wald be pleisit to represent our present grevance and pitifull oppreffioun to the Counfall and to the said Generall Lovetennent as your Lordship shall think expedient, quhairby sick course may be takin thairanent as sick factis meritis. Swa, expecting your Lordship's

1648.]

Earls of Ancram and Lothian.

223

affistance heirin, committing your Lordship to the protectioun of the
Almightie, restis your Lordship's servandis,

JEDBURGH, the 5 of December 1647.

ALEX. KIRKTOUN.

AR. BROUNE.

GEORGE WESTROPE.

RO. RUTHERFURD.

To the richt noble and potent Erle
William, Erle of Lothiane, these.

ARCHIBALD, MARQUESS OF ARGYLL, to the EARL OF LOTHIAN.

[1648]
March 2.

MY NOBLE LORD, I receaved your Lordship's from Leidg the
8 of February; yours from the hous neer Holdenbie was this day
read in the Hous; we ar to heaue it, and all our businefs concerning
England, in the great Committee. Sum men heaue used all the
means they can to get interest in the imployment thair, but finding
that is lyk to faill them, no les industrie is used to heaue the Commis-
sion that is, voyd and without succeffion. What the Parliament will
doe in this I know not, but sum ar put to straits in it, being, as it
appears, in thair oun particular. We finde great difficultie to intertain
our forces; but wee ar doing as wee can. The pakket is cloafing,
and I heaue no mor to say, but that I am your Lordship's affection-
ate Uncle and servant,

A. M. ARGYLL.

EDINBURGH, 2 March [1648].

For the Erle of Lothiane.

JAMES, EARL OF DERBY, to the EARL OF LOTHIAN.

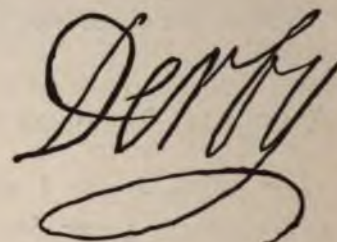
1648
May 29.

MY LORD, I haue heard lately that your Lordship, and very many
of your nation, are actiue in a buisness of the greatest concernment in
this world. My desire is to knowe the truthe of the reports wee haue.
I am sure that ther is not any from whom I can so much expect a

satisfaction therof, as from your Lordship; wherfore I haue purposely sent my seruant, Browne, the bearer heerof, to waite vpon your Lordship, and to retorne speedily with your letters and commandes; for I doubt not but I am still in your memory, as one in whom long since you haue great interest, and whom you may be confident to be constantly your Lordship's most affectionate and humble seruant,

May 29, 1648.

For the Earle of Lothian.



[1648]
September 10.

JOHN, EARL OF CRAWFORD AND LINDESAY,¹ to the
EARL OF LOTHIAN,

STRUTHER, the 10 September [1648].

MY NOBLE LORD, Ye see now what a sad condition this kingdome is brought to, and how religion, his Majestie, and al is verie neir lost, unles sum other way be takin; and I suppose when we haue al donne

¹ John, Earl of Crawford and Lindsey, was the son of Robert, ninth Lord Lindsey of Byres, and was served heir to his father, October 1, 1616. He was created Earl of Lindsey in 1633; but the patent was stopped in consequence of his joining the party who opposed the King in the Act of Uniformity. In 1641, he was appointed an Extraordinary Lord of Session, when he obtained his patent as Earl, and on the forfeiture of Ludovick, Earl of Crawford, succeeded also to that title. In 1645, he was chosen President of Parliament, and opposed strongly the vote by which the Estates agreed to deliver up Charles I. to the English Parliament in December 1646. He subsequently entered into the design for raising an army to assist Charles II. in invading England; but was taken prisoner at Alyth, by a part of the English garrison at Dundee, and remained in captivity till March 1660. He died in 1676, about the eightieth year of his age. (*Brunton and Haig's Senators of the College of Justice*, pp. 312-313.)

what we can, the work wilbe deficult eneuch. I wife your judicatories wold lay by ther acts of feperation, and fum of your freinds ther neidles jealecies, which I fal the rather fpeak of [as] of fum idle difcources, as if ther had been defings againft them. I wife men of wifdome wold be as far from leting fuch fancies enter in ther mynds as the perfons they louk on with moft jealocie wold be from fuch bace acts. None of us show fpleane, ether againft ther perfons, planes, or fortunes, when we find pouer in our hands; and if ye can perfuad them yet to doe what is fite in their extremitie, ye fal fie fum men voyd of animofitie and redy to doe euerie thing mey tend to Scotland's good. If other wayes be takin, let God reckon with thofe whose ends, or apreheptions, ar prefered to the publick good. I fal infift no more, but affur your Lordship, let the world goe as it wil, I fhalbe ftill your Lordship's moft humble feruant,

CRAFURD AND LINDESAY.

For the right honorable
the Earle of Lothian, Secretarie of Eftat—thes.

A. R. DOUGLAS and OTHERS to the EARLS OF BUCCLEUCH
AND LOTHIAN.

1648
September 28.

MY LORDS, We haue had tua randevous of thir fchyres,¹ Monday and this day, Thurfdays; bot hes maid fmall progres as yit, be reffoun of the Ingliſche merchand throw the fchyre, and hes reffeaiwt non of the Earle of Roxbrughis men as yit. Setterday is our laft day of randevow att Ancrum bridge, whair we expect the laft man, but

¹ The Scots having been excluded from any ſhare in the deliberations regarding the difpoſal of the King, and all acceſs to his perſon denied them, it was reſolved to put the kingdom in a poſture of defence. But the Royaliſts being impatient for action, a party, under Langdale and Muſgrave, ſurpriſed and took poſſeſſion of Carlisle and Berwick. The near preſence of theſe “malignants” was uſed as a pretext for a general levy, to which the above letter evidently refers. (*Laing's Hiſtory of Scotland*, vol. iii. pp. 397, 398.)

short of our proportion appointit to us. We had 200 hors togidder to day in reddines to haue merchit, and hes quartered them vpoun deficientis. We intreat your Lordship's ordouris against that tym be tuelff a klok, iff possible it can be, or utherwayes als soone as can be. We wreitt to your Lordship of befoir, and expectit the lettres sould have comed to your hands, bot miscaryed, whilkis now your Lordship may peruse. Thus, committing your Lordship to God, we remaine, your Lordship's humbill serwands,

From MUREHOUSLAMURE,
28 of September 1648.

A. R. DOUGLAS.
W. ELIOTT.
WILLIAME SCOTT.

To the richt honorabill our verie good Lords,
the Earlis of Buccleughe and Lothiane, or aither of them.

1648
December 9.

ALEXANDER, LORD BALCARRES, to the EARL OF LOTHIAN.

MY LORD, I intended to have waited on your Lordship before yee had taikne journey; bot besides, that I am called before this Presbiterie against Tuifday nixt, I have iust now hard from Edinburgh that your Lordship is gone this daye, or to be gone tomorrow; so, fearing to misse your Lordship, and in that case having nothing adoe there, I shall only give your Lordship the truble of this letter, and in it ane accnouledgment under my hand that my obligations to your Lordship have bien, and ar, greater nor I can knowe which waye to exprefs my thankfulness for them. All I can doe is to desire to doe you service, and if ever it be in my possibilitie to doe your Lordship any, I shall æstieime it a happinefs aboove any publick trust or imployment whatsoever, which, tho I be thocht unworthy off now, yet I shall not sieck after, as I shall alwayes the opportunityes off manifesting my sence off your Lordship's favours, without which, I shall professe, I had bien in a worse case nor I can yet find myselfe by all the publick neglects and injuries I think I receive; for without these I can some way lieve like

a gentleman, & I thank God, with a great deale of peace in my soule, having followed this busines with as much integritie, I darre fay it, as any off these, by whose zeale I am noue in this condition. Bot I'l forbear complaining off injuries, and humbly begg a neue favour off your Lordship, and that is, your endeavor for my brother's relieffe, who is now hier, bot must rander him selfe prifoner at Newcastle again the 20th off this month. Yet I shall not at all desire it, if your Lordship's speaking for it, may not be without any offence to your friends, and the least præjudice to your self and the busines yee goe about. Bot since it fiems no ranfome will be accepted for him, and that I must owe his libertie to some bodye, I'l rather choose to be in your Lordship's debt for it then any man's else; and if your Lordship can effectuat it, I shall owe him (as he will himselfe) to your Lordship, amongst the rest off your noble favours. However, I am already as much as I can be any thing, your Lordship's most faithfull and humble servant,

A. BALCARRES.

At BALCARRES, 9th of December 1648.

J. HAMILTON¹ to the EARL OF LOTHIAN.

1648
December 13.

MY MOST NOBLE LORD, Hearing of this occatione by the Earle of Derby, vnder quhos shaddow for the present I am resting, I was bold to lett your Lordship know quhat favours I hav receaved att his hands out of his respects to your Lordship, after I had accidentalie mad knowen to him my relatione to your Lordship. My Lord, I hav hithertills beine a large shairer of your favours, and tho' I can nott claime any of your Lordship, yet I am bold to intreatt your Lordship quhen ye hav occatione to writt to the Earle of Derby, or his ladie,

¹ Not improbably James Hamilton, who succeeded his father as third Lord Strabane, a Royalist. He died in 1655.

to mentione your fence of ther respects to me, and likways to lay fom commands on him quho desirs to be imployd in your Lordship's service. I pray God blife your Lordship in all your ways.—Your Lordship's most humble servant,

J. HAMILTON.

CASTELLTOUNE, the 13 December 1648.

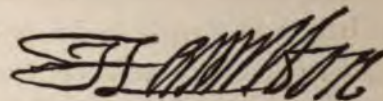
For the right honourabill
my most noble Lord the Earle of Lothiane—thesse.

[1648]
December 23.

JAMES, DUKE OF HAMILTON, to the EARL OF LOTHIAN.

MY LORD, When I confider the great freindshipe that hath beine betuixt your Lordship's family and myne, your oune nobilnes expreffed vpone diuers ocasions to my self, I should account it a crime in me to misdout your fawore in this tyme of my distres.¹ I shall therfor only say that thoe it hath pleased God to make me ane vnfortunat seruant to the Parlliamment of my countrie, yet it is for obaying ther commands I now suffer; and so I trust in God to be looked on, and not as ane enimie to eather Kingdomes, for whoes peace and hapines, and that ther may be a right vnderstanding betwixt them and amongst them felves, the prayeres shall neuer be wanting of your Lordship's most faithfull and humbill servant,

WINDSORE CASTLE, 23 Decembre [1648].



For the right honorable
the Earle of Loudian.

¹ The Duke of Hamilton, shortly after his defeat at the battle of Preston in August 1648, surrendered himself to General Lambert at Uttoxeter, and notwithstanding a stipulation in the articles of capitulation for the security of the lives of himself and those who were captured with him, he was beheaded on the 9th March 1649. (*Burnet's Memoirs*, pp. 364-405.)

CORRESPONDENCE between the COMMISSIONERS FROM THE
COMMITTEE OF ESTATES OF SCOTLAND¹ and the PARLIAMENT
OF ENGLAND, 1649.

164⁸;
January 6.

To the SPEAKER of the HOUSE OF COMMONS.

SIR, The Committee of Estates of the Kingdom of Scotland, understanding that the honourable Houses of Parliament were proceeding in a Treaty for peace with his Majesty, did, about the beginning of the last month, authorize us to present propositions to his Majesty; and particularly to deal with him and the honourable Houses, for establishing the Covenant and Presbyterian Government, the Confession of Faith, Directory for Worship and Catechisme; for preventing the toleration of idolatry, popery, prelacy, superstition, blasphemy, heresy, and schisme, and for perfecting the great work of Reformation and Uniformity according to the Covenant; the substance whereof hath been formerly communicated in a letter from the Committee of Estates to both Houses, and by one of our number upon his reception at the Committee of Derby-house, by order from the Houses of Parliament. But to our great grief, we do perceive that the distractions

¹ Towards the end of 1648, the Earl of Lothian, Sir John Chieflly, Mr. William Glendonning, and Mr. Robert Blair, were appointed Commissioners from the Committee of Estates to represent the Kingdom of Scotland in the arrangements between the King and the Parliament of England. Balfour, in his *Annals*, vol. iii. p. 377, relates: "This day (January 5, 1649) a letter from the Scotts Commissioners, E. of Lothian, Chieflly, and Glendinning, from London, red in the House, shewing the grate attentione of affaires ther, and how that above 160 members of the House of Comons wer extrudit the House by the blasphemous army; as also, how the Comittee of the Army had resolved to putt the King's Maiestie to the tryall of a Counsaill of Warre," etc., and desiring "instructions how to carey themselves in so difficult a bussines." These Instructions are given in the same volume, pp. 383-385.

of this Kingdome are, beyond our expectation, grown exceeding high ; that a force hath been placed on the passages to the Houses, which during transactions of highest concernment, hath imprisoned and secluded a great number of Members of Parliament, and given occasion to many others to withdraw, because they find they cannot act as in a free Parliament ; that applications are made to you for proceeding against the King, to take away his life, and for changing the government of this Kingdom ; and strong endeavours are used to overturn the whole work of Reformation, to cast off the Ministry, and introduce a toleration of all religions and forms of worship, and so in effect, to destroy the cause wherein both Nations have been engaged, and frustrate all the ends of the Solemn League and Covenant, which both Kingdoms have sworn with uplifted hands to Almighty God, sincerely, really, and constantly to perform.

The consideration of these things doeth exceedingly trouble us, and fill our hearts with fears, that as they are for the present matter of great provocation of the wrath of God against us, dishonourable to His name and a reproach to religion, so, if persisted in, that they shall greatly weaken and divide us amongst ourselves, unite forraign enemies against us, advance the popish interest, lose Ireland, and in end prove destructive to the Reformed religion, and to the peace and happiness of these Kingdoms.

In the year 1640, when these Kingdoms were oppressed under the yoke and tyranny of the Prelates, who then were far advanced in the design to introduce Popery, the Kingdom of Scotland did join their endeavours with this Kingdom, to procure a free Parliament here, looking upon it as the chief mean, by the blessing of God, to give a check to the designs of the Prelates, who were studying the change of religion ; and to the interprises of evil Counsellors about the King, who were endeavouring to establish an arbitrary and tyrannical government ; and afterward, when through the power and prevailancy of papists, prelates, and malignants, this kingdom was distressed, the Kingdom of Scotland did enter into a Solemn League and Covenant

with this Nation, for reformation and defence of religion, the honour and happiness of the King, and the peace and safety of the three Kingdoms; and particularly, for bringing the Churches of God therein to the nearest conjunction and Uniformity in religion, Confession of Faith, Form of Church government, Directory for worship, and Catechising, for extirpation of popery, prelacy, superstition, heresy, schisme, prophaneſs, and whatsoever shall be found contrair to sound doctrine; for mutual preservation of the rights and priviledges of the Parliaments and liberties of the Kingdoms; for discovering of incendiaries, malignants and evil instruments that hinder the reformation of religion, divide the King from his people, or one of the Kingdoms from another, or make any faction or party among the people contrary to this League and Covenant, that they might be brought to publick triall and punishment; for preserving peace and union betwixt the Kingdoms, and defending one another in this cause; and continueing therein all the days of our lives, zealously and constantly, against all opposition, and for promoting the same, according to our power, against all letts and impediments whatsoever.

In pursuance of the Solemn League and Covenant, both Houses of Parliament have often declared that they will establish the Reformation of religion, extirpate popery and prelacy, and suppress heresy and schisme; and that they will maintain the fundamentall government of this Kingdom by King, Lords, and Comons. And when, the common enemy being subdued, the Scottish army was to go out of this Kingdom, in the beginning of the year 1647, and his Majesty, by consent of both Kingdoms, was to come to Holdenby, the Houses of Parliament did declare, both to the King and to the Kingdom of Scotland, that respect should be had to the safety and preservation of his Majesty's person, in the preservation and defence of the true religion and liberties of the Kingdoms, according to the Covenant; and when the King should be at Holdenby, and the Scottish forces gone out of this Kingdom, that they would join with the Kingdom of Scotland in employing their best endeavours to procure his Majesty's assent to the

propositions agreed on by both Kingdoms; and in case the King should not give his assent thereunto, that the two Houses are still resolved to maintain the happy union already settled between the two Kingdoms, according to the Covenant and Treaties. The Parliament of Scotland did at the same time also publish a Declaration of their intentions (whereof one copy was delivered to his Majesty and an other to the Houses of Parliament), that in the interim (untill his Majesty should give satisfaction to both Kingdoms in the propositions of peace), there should be no harm, prejudice, injury, or violence done to his royall person; that there should be no change of government, other than had been for the three years preceeding; and that his posterity should be noways prejudiced in their lawfull succession to the crown and government of these Kingdoms.

These being the engagements of both Kingdoms, jointly together and severally one to another, for the ends aforesaid, we hold it our duty to endeavour that the reformation of religion be settled and established, as is before expressed; and especially, that the toleration of idolatry, popery, blasphemy, heresy, and schisme be prevented, least we partake in other men's sins, and thereby be in danger to receive of their plagues; that the rights and priviledges of Parliament may be preserved; that there may be no change of the fundamentall government; and that there be no harm, injury, or violence, offered to his Majesty's person, the very thought whereof the Kingdom of Scotland hath always abhorred, as may appear by all their proceedings and declarations, and the Houses of Parliament have, upon severall occasions, expressed a detestation thereof in their declarations.

Wherefore we doe expect that there shall be no proceeding against his person, which cannot but continue and encrease the great distractions of these Kingdoms, and involve us in many difficulties, miseries, and confusions; but that by the free councils of both Houses of Parliament of England, with the advice and consent of the Parliament of Scotland (which is now fitting), such course may be taken in relation to him, as may be for the good and happines of these Kingdoms, both

having an unquestionable interest therein.—We are, your affectionate freinds and servants,

6 Januarij 164⁹.

For the honourable William Lenthall, Esq^r,
Speaker of the House of Comons.

LOTHIAN.

JO. CHIESLY.

WILL. GLENDONING.

LETTER from the COMMISSIONERS to the PARLIAMENT OF SCOTLAND,
wherein a copy of the above was inclosed.

1649
January 9.

MAY IT PLEASE YOUR LORDSHIPS,—

Upon Thursday last, the Comonns past these votes enclosed, declaring the people, under God, to be the original of all just power, themselves to be the supreme authority of this Nation, and that they alone have power to make laws, though the King and Lords consent not thereunto. Upon Friday, the ordinance for trial of the King was ingrossed; and order was given to commit him close prisoner. Wherefore, being certainly informed, that upon Saturday it was to pass as an Act of Parliament, and likewise, takeing into consideration the manifest dangers to religion, the privilege of Parliament, and fundamentall constitution of the government of the Kingdom, we found that we could not answer your Lordships' expectation and the trust reposed in us, if we should be longer silent. And in pursuance of our commission and instructions, we delivered this letter to the Searjant of the House, at the door, about twelve of the clock, it being about that time before they were a quorum. After the Searjant had delivered our letter to the Speaker, he was sent to enquire if the letter was to the Speaker only, or to be communicated to the House; and we answered it was to be communicated to the House. Yet, notwithstanding, it was laid aside and not read: and they proceeded in the business concerning the King, and passed the Commission for his trial, in the nature of an Act of Parliament, the substance whereof is the same with the ordinance whereof we sent a copy the last week.

Yesterday, the General [Fairfax?] and others of that Commission mett at the Painted Chamber and satt very late. What they did wee know not, further than that this day, when wee were at Westminster Hall, there came into the Hall some trumpeters and horsemen, with a herald, and made a proclamation, the summe whereof was, that by vertue of an Act of Parliament of the Comonns of England, a Commission was given for triall of Charles Stewart, King of England; and that the Commissioners were to meet for that purpose tomorrow, at one of the clock in the afternoon, at the Painted Chamber. The end of that proclamation, as is conceived, was to invite all men to bring into those Commissioners what they have to say against the King. Whither he is to be brought hither, or they are to send some to Windsor to him, we know not; but many think they will proceed with expedition.

In the letter which we have given in to the present House of Comonns, we have only related the matter of fact, touching the late proceedings, without declaring any opinion thereupon. Concerning religion, we have expressed the desires of the Kingdom of Scotland, and given a testimony against Toleration, and anent the King. We have proceeded upon the grounds contained in the Declaration of the Parliament of Scotland, of the 16th of January 1647, and the Declaration of both Houses, when he came from Newcastle to Holdenby, which we did the rather mention at this time, because it is frequently objected that the Kingdom of Scotland did part with the King without any conditions. We have sent your Lordships the reasons of the Council of War for securing and secluding the Members of Parliament; which is all we have to say for the present, but that we daily wait your Lordships' speedy directions, and so remain, your Lordships' most humble servants,

COVENT GARDEN, 9th of January 1649.

LOTHIAN.

JO. CHIESLY.

WILL. GLENDONING.

For the Most Honourable

the Lords and the Commissioners of Shires and Boroughs,
assembled in the Parliament of Scotland at Edinburgh.

To the SPEAKER of the HOUSE OF COMMONS.

164^s
January 19.

SIR, Upon the fixth of this instant, we sent to you a letter, with a copy of our Commission inclosed; and delivered another letter to be therewith communicated to the House, which were directed as usually former letters from the Commissioners of Scotland to the House of Commons, have been. And when, upon the delivery thereof, the Serjeant of the House was sent to enquire of us whether the letters were to the Speaker himself, or to be communicated to the House, we answered, that they were to be communicated to the House. And though we have diverse times since solicited you for the reading theirow, yet we understand that our letters do still remaine in your hands, and have not been communicated. Wherefore, we hold it our duty hereby to represent our sence of this delay, expecting that we shall be enabled to give an accompt of our endeavours to the Parliament of Scotland. And so we rest, your affectionate friends and servants,

COVENT GARDEN, the 19th of January 164^s.

LOTHIAN.

JO. CHIESLY.

WILL. GLENDONING.

For the honourable William Lenthall, Esq.,
Speaker of the House of Commons.

To the SPEAKER of the HOUSE OF COMMONS.

164^s
January 22.

SIR, We were exceedingly surprisid upon Saturday in the afternoon, when we heard that his Majesty was brought before this new extraordinary Court; and that there should be such haft and precipitation, notwithstanding the resolution taken by the House upon reading of our letter of the fixth of this instant, to take into consideration what we had therein pressed, as was signified by yow to some of our number; wherefor we have sent you this enclosed paper, to be forth-

with communicated unto them. And in pursuance of the directions which we have received from the Kingdome of Scotland, we do desire that they will take effectual course, that we may have free access to his Majesty this day, and afterwards upon all occasions as we shall think fitt, without any interruption or molestation whatsoever. And so we rest, your affectionate friends and servants,

LOTHANE.

JO. CHIESLY.

WILL. GLENDONING.

COVENT GARDEN, the 22 of January 164⁸₉.

For the honourable William Lenthall, Esq.,
Speaker of the House of Commons.

164⁸₉
January 22.

PROTESTATION.

By our letter of the sixth of this instant, we represented unto you what endeavours have been used for the taking away of his Majesty's life; for change of the fundamentall government of this Kingdome, and introducing a sinful and ungodly toleration in matters of religion. And therein we did expresse our sad thoughts and great feares of the dangerous consequences that might follow thereupon. And further, we did earnestly prefs that there might be no proceeding against his Majesty's person, which would certainly continue the great distractions of these Kingdomes, and involve us in many evils, troubles, and confusions; but that by the free counsells of both Houses of the Parliament of England, and with the advyse and consent of the Parliament of Scotland, such course might be taken in relation to him, as may be for the good and happines of these Kingdomes, both having an unquestionable and undeniable interest in his person as King of both; which duely considered, we had reason to hope, should have given a stop to all proceedings against his Majesty's person. But we understand that after many Members of the House of Commons have been

imprisoned and secluded, and also that without and against the consent of the House of Peers, by a single act of yours alone, power is given to certaine persons of your own number of the army and some others to proceed against his Majesty's person, in order wherunto he was brought upon Saturday last in the afternoon before this new extraordinary Court : Wherefore, we do, in name of the Parliament of Scotland, for their vindication from false aspersions and calumnies, declare, that though they are not satisfied with his Majesty's concessions in the late treaty at Newport in the Isle of Wight, especially in the matters of religion, and are resolved not to crave his Majesty's restitution to his government, before satisfaction be given by him to his Kingdomes, yet they doe all unanimously with one voice (not one member excepted) disclaime the least knowledge of, or accessione to the late proceedings of the army here against his Majesty, and sincerely professe that it will be a great grief unto their hearts, and lie heavy upon their spirits if they shall see their trusting of his Majesty's person to the honorable Houses of the Parliament of England to be made use of to his ruine, so far contrary to the declared intentions of the Kingdome of Scotland and solemn professions of the Kingdome of England. And to the end it may be manifest to the world how much they abominate and detest so horrid a designe against his Majesty's person, we doe, in the name of the Parliament and Kingdome of Scotland, hereby declare their dissent from the said proceedings and the taking away of his Majesty's life ; and protest that as they are altogether free from the same, so they may be free from all the evils, miseries, confusions, and calamities that may follow thereupon to these distracted Kingdomes.

January 22, 1648⁸.

LOTHIANE.

JO. CHIESLY.

WILL. GLENDONING.

1649
January 29.

To the LORD FAIRFAX.

MAY IT PLEASE YOUR EXCELLENCY, We have divers times waited on yow to follicit your endeavours for preservation of his Majesty's person, and now having received particular directions from the Estates of the Parliament of Scotland to make applicatioun to your Excellency for the same end, we doe in there names earnestlie desire and entreat that yow will take into serious consideration that the Kingdome of Scotland hath undoubted interest in his Majesty's person, and how hard a thing it is to proceed against there King, not only without, but against their advise and consent. That his person was intrusted by that Kingdome to the honorabill Houses of Parliament, and how much it will reflect upon the honour of Scotland and the faith of England to take away his life. Be pleased also to remember the many tyes and bonds of love and friendship betwixt the Kingdomes, there solemne engagement in one cause and covenant, and the many obligations and mutuall good offices which have passed betwixt the Kingdome of Scotland and the forces under your command. Consider what an unsetled peace it is like to prove, which shall have its foundation laid on the blood of the King; what dangerous evils and grievous calamities it may bring upon us and our posteritie; what reproach upon religion and the work of reformation; and what infamie abroad in other nations: and let it never be recorded to future ages that yow have been wanting in your duty at such a time as this, but according to the eminencie of your place, honour, and dignitie, and the greatnes of your interest, improve this present opportunitie by all lawfull wayes and meanes to prevent the taking away his Majesty's life, wherein we do also earnestlie entreate the concurrence of your Council of Warre; and so we rest, your Excellency's most humble servants,

29 January 1649.

For his Excellency, the Lord Fairfax,
General of the Parliament's forces.

LOTHIAN.

JO. CHIESLY.

WILL. GLENDONNING.

The DESIRES of the COMMISSIONERS OF THE KINGDOM OF SCOTLAND that both Houses of Parliament may sitt in freedome for settling of Religion according to the Covenant, and that KING CHARLES THE SECOND (upon just satisfaction given) may be admitted to the Government of these Kingdomes.

Together with their PROTESTATION against all proceedings to the contrary. •

In the yeare 1642, and afterwards in the yeare 1643, when the Popish, Prelaticall, and Malignant partie did grow prevalent in this Kingdom, the honourable Houses of Parliament did communicate severall Declarations and Papers to the Kingdome of Scotland, thereby to informe their judgments of the state of the differences here, and to gaine their assistance, and invite their forces to come into this Kingdome; in which Declaration and other papers they affirm and declare that the army of the Houses of Parliament was raised for the maintenance of the true religion, the King's person, honour, and estate, privileges of Parliament, rights and liberties of subjects, and for the prevention of the alteration of religion; that their enemy's designe was to corrupt and alter religion throughout the whole Island; and that they began with Scotland, knowing well that the same fate attended both Kingdomes; that they have only inverted the manner of their proceeding, conceiving it an easier way to destroy them, if they may first prevaile over the Parliament and Kingdom of England; that whensoever religion is subverted or changed in the one Kingdome, it will easily be accomplished in the other, religion being the band and foundation of the happiness of both; that what corruptions take root in England will quickly spread their venome and infection to their neighbour Church of Scotland. They declare the true state of the quarrell to be Religion, in reformation whereof they are so forward and zealous, as there is nothing expressed in Scotland's former or latter Declarations, which they have not seriously endeavoured to effect. They earnestly entreat the Generall

Declaration
and account to
all the world,
August 1642.

English Com-
missioners,
August 1643.

Declaration,
September
1642, in answer
to the Scots
declaration.

Assembly to further and expedite the assistance desired by both Houses from the Kingdome of Scotland, upon this ground and motive, that thereby they shall do great service to God and great honour may redound to themselves, in becoming the instruments of a glorious reformation, not only throughout this Island, but from thence possibly to be spread to other Churches, oppressed under the anti-christiane bondage and tyranny of the popish and prelaticall faction. They commend the prudence and faithfulness of the Generall Assembly of the Church of Scotland, in propounding those things which may conduce to a more close and firm union of the two Churches and Nations of England and Scotland, in preserving and maintaining the truth and purity of the reformed religion, not only against popery, but all superstitions, sects, and innovations whatsoever; and declare that the Houses of Parliament have ever made the reformation of Church government and discipline their chiefest aime, though they have been frequently interrupted, and powerfully opposed, in the prosecution and accomplishment of it; and however they continue still in the storm and conflict, yet they take the peace, liberty, and preservation which God hath afforded Scotland, as a pledge of the like mercy intended to them in his good time, hoping that God will perfect their designs and endeavours of a full reformation in all things pertaining to religion, and profess their earnest desires for unity of religion in all substantiall parts of doctrine, worship, and discipline, that both Kingdomes might be more strictly united, and enjoy the advantages of his Majesty's more easy, safe, and comfortable government, the people a more free communion in all holy exercises and duties of worship, and that there might be a more constant security of religion against the bloody practices of Papists and deceitfull errors of Sectaries. They remonstrate that it is far from their purpose or desire to let loose the golden reines of discipline and government of the Church, to leave private persons or particular congregations to take up what forme of divine service they please, but do hold it requisite that there should be throughout the whole realme a conformity to that order which the

Remonstrance,
December
1641.

lawes enjoyn according to the Word of God. They protest, in the presence of the Allseeing Deity, that the services which they have been desirous to performe to their soveraigne Lord and King and to this Church and State, in providing for the publique peace and prosperity of his Majesty, and all his realms, to have been and still to be the only end of all their councells and endeavours, wherein they have resolved to continue, freed and enlarged from all private aimes, personal respects, or passions whatsoever. They oft mention their Protestation, taken by every Member of both Houses, promising in the presence of Almighty God to defend his Majesty, and disclaim the having any purpose to offer the least violence to his person, which hath been, and ever shall be dear unto them. They declare that they expect the help and assistance of Scotland in defence of the cause which, if the Popish party prevail, must needs either involve them in that alteration of religion which will be made here, or engage them in a warre against this Kingdome to defend their own religion and liberty. And they professe, before the Everliving God, the safety of religion, lawes, and liberties, in this and all other his Majesty's dominions, to be the chief end of all their councells and resolutions, without any intention or desire to hurt and injure his Majesty, either in his person or in his just power. That they rest assured, both God and man, will abhorre and abominate that monstrous and injurious charge laid upon the representative body of this Kingdome, of designing the ruine, not only of his Majesty's person, but of monarchy itself; and appeal to all the world whether worse words than these can be given them.

May 1642.

Declaration,
October 1642,
in answer to
the King's,
concerning
Keinton battle.

Declaration
and Protestation
to all the
world, 1642.

These Declarations and Solemne Engagements were communicated to the Kingdome of Scotland, before they did joine in the warre with the Houses of Parliament, and also both Kingdoms entered into a Solemn League and Covenant for reformation and defence of religion, for uniformity in one Confession of Faith, Forme of Church government, Directory for Worship, and Catechising, for extirpation of popery, prelacy, superstition, heresy, schisme, prophaneſs, and what-

soever shall be found contrary to sound doctrine and the power of godliness; for preservation of the rights and privileges of Parliament, and liberties of the Subject; for the honour and happiness of the King and his posterity, and the peace and safety of these Kingdomes.

Declaration of
the House of
Commons,
1646.

In the year 1646, after the power and strength of the enemy was broken, the House of Commons did, upon the 17th of April, publish a Declaration (which they likewise caused to be set up and affixed in every Parish Church), wherein they vindicated themselves from severall misconstructions and misrepresentations of their proceedings; as that they should have any intention, or desire to make use of the great success God had given them, contrary to their former professions, or to exceed or swerve from their first aims and principles in the undertaking this war, and to recede from the Solemne League and Covenant and Treaties betwixt the Kingdomes, or to prolong these uncomfortable troubles, and bleeding distractions in order to alter the fundamentall constitution and frame of this Kingdome and to leaue all government in the Church, loose and unsettled, and themselves to exercise the same arbitrary power over the persons and estates of the subjects which the present Parliament had thought fit to abolish, by taking away the Star-Chamber, High Commission, and other arbitrary Courts, and the exorbitant power of the Council-Table. And farther, they declare that their true and real intentions are, and their endeavours shall be, to settle religion in the purity thereof, according to the Covenant, and to maintaine the ancient and fundamentall constitution and government of this Kingdome, by King, Lords, and Commons.

In November 1647, when a petition was presented to the House of Commons, stiling them the supreme authority of the Nation, together with a printed paper annexed, intituled, *An Agreement of the People*, for a firm and present peace upon grounds of common right (which agreement, as we have found upon perusal of both, is the same for substance with the agreement lately published), the House of Commons did declare, that the matters contained in these papers

were destructive to the being of Parliaments and the fundamental government of the Kingdome, and appointed a letter to be written to the Generall, to examine the proceeding of that busines in the army, and returne an account thereof to the House. And when another petition, directed to the supreme authority of England, the Commons in Parliament assembled, was presented the 23rd of the same month, they voted that petition, a seditious and contemptuous avowing and prosecution of the former petition and paper annexed, stiled *An Agreement of the People*, formerly adjudged to be destructive to the being of Parliaments and fundamentall government of the Kingdome. And another letter was appointed to be sent to the Generall, to take notice of his proceedings in the execution of a mutinous person (who was an abettor of that Agreement) at the rendezvous near Ware, and to give him thanks for it, and desire him to prosecute the examination of that busines to the bottom, and to bring such guilty persons as he shall think fitt to condigne and exemplary punishment. All which declarations, protestations, oathes, covenants, and solemne engagements notwithstanding, we find to our great grief, wonder, and astonishment, that contrary to the dissent and protestation of the Kingdome of Scotland, his Majesty is removed out of this life by a violent death; that Orders are published in print, intituled, Acts of Parliament, prohibiting the proclaiming of the Prince of Wales King of these Kingdomes; that the Commons which now sit at Westminster (after many Members of that House have been imprisoned, seclused by force, or necessitated to withdraw, because they cannot act as in a free Parliament), have voted away the Kingly office and the House of Lords, and claime the authority of a Parliament; and under colour thereof, the power of repealing all oaths of allegiance or obedience whatsoever, even without exception of the Solemne League and Covenant, from which the conscience can not be absolved by all the powers on earth. We see likewise strong endeavours used, and resolutions taken, to maintaine a licentious liberty and ungodly toleration in matters of religion (as appeareth by a paper lately published,

commonly called *An Agreement of the People*), against which, on the 26th January last, we did present a testimony from the Commissioners of the Generall Assembly of the Church of Scotland, approved of by the Estates of Parliament of that Kingdome.

If the honorable Houses of the Parliament of England, who made the Declarations and Engagements afore said, had been permitted to sit and act with freedome, we know there would have been no such proceedings as we have already seen, nor cause to feare such dangerous evils and strange alterations as are now carried on by will and power. We may confidently say they would have been more mindfull of their many Declarations and the Solemn League and Covenant, and more ready to hearken to the advise of their brethren of Scotland. And however no regard hath been had by those who now rule, to what we have formerly said, and so we have small hopes that any great notice shall be taken of what we shall further say; yet, in pursuance of the instructions we have received from the Parliament of Scotland, we hold it our duty to desire, that there may be no toleration of idolatry, popery, prelacy, heresy, schisme, or prophaneness; that there may be no change of the fundamentall constitution and government of this Kingdome, by King, Lords, and Commons; that there may be nothing done which may wrong King Charles the Second in his succession as righteous Heir of the Crowne of these Kingdomes. But that by the free councils of both Houses of Parliament, reformation of, and uniformity in religion may be settled according to the Covenant; and particularly, that Presbyterial government, the Confession of Faith, Directory for Worship, and Catechisme, may be established; that the just right and title of King Charles the Second to the Crowne of these Kingdomes may be acknowledged, and upon just satisfaction given to both Kingdomes, he may be received and admitted to the exercise of his government. And if, notwithstanding all our earnest desires and endeavours to the contrary, the Commons now sitting at Westminster shall proceed otherwise in all or any of the particulars afore said, we do hereby, in the name of the Parliament and Kingdome

*

of Scotland, dissent from the same, and solemnly protest that they may be free before God and man, of all the guiltiness, evils, confusions, miseries, and calamities, that may follow thereupon to these distracted Kingdomes.

24 February 164^s.

LOTHIANE.

JO. CHIESLY.

WILL. GLENDONING.

The Parliament having received a paper dated the 24th of February 164^s, subscribed by the Earle of Lothiane, Sir John Chiesly, and William Glendoning, in the name of the Kingdome of Scotland, and taking the same into their serious considerations,—

1649
February 26.

They doe declare that the said paper doeth containe much scandalous and reproachfull matter against the just proceedings of this Parliament, and an assuming on the behalf of that Kingdome to have power over the lawes and government of this Nation, to the high dishonour thereof; and lastly, a designe in the contrivers and subscribers of it, to raise sedition, and lay the grounds of a new and bloody war in this land, that under the specious pretences in that paper contained, they may gaine advantages to second their late perfidious invasion. And it is farther declared, that all persons whatsoever residing in England or Ireland, or the dominions thereof, that shall joyne with, or adhere unto, or voluntarily aide or assist the said contrivers and subscribers of any whosoever of the Kingdome of Scotland, in pursuance of the grounds laid by them in the said paper, for raising sedition and a new and bloody war in this land, are rebelles and traitors to the Commonwealth of England, and shall be proceeded against as traitors and rebelles.

HEN. SCOBELL, *Cler. Parliament.*

Die Lunæ, 26 February 164^s.

Ordered by the Commons assembled in Parliament that the Lord Lothiane, Sir John Chiesly, and Mr. Glendoning, Commissioners of

the Kingdome of Scotland, shall have a guard set on their lodging to secure them, and also to restraine them from communication with any by whom the sedition contained in their papers, dated the 24th February 164⁹, might be promulged. And that none be suffered to have access to them, or to passe out from them, but for their supply with necessaries during their abode here.

Upon this Order, Colonel Harison gave warrant to Captain Sexby, who committed them, and Mr. Robert Blair, minister at St. Andrews, and Commissioner for the Kirk of Scotland, close prisoners in the Block-house at Gravesend; and after their restraint several days, they were sent with a troop of horse, commanded by Captain Dolphin, to Berwick, there to be detained unless the States of Scotland did own their proceedings. And the States of Scotland having owned their Letter, Declarations, and Protestations, they were dismissed at the Bound-Rod.

APPROBATION by the COMMITTEE OF ESTATES, of the Proceedings
of the COMMISSIONERS.¹

The Committee of Estates haveing heard the Report of the Earl of Lothian anent the discharge of the Commission granted to him and Sir John Chiesly and William Glendoning, for repairing to the King's Majesty that lately reigned, and to the two Houses of the Parliament of England, and considered all their deportments in their negotiations and prosecution of that publick trust committed to them, do hereby find and declare, that the said Earl of Lothian, Sir John Chiesly, and William Glendoning, have behaved and demeaned themselves wisely, faithfully, and diligently in observance of the instructions and according to the warrands given them, and approve of all their proceedings in relation thereunto; and for their great pains and faithfulness therein, ordains the Lord Chancelour, President of the Committee, and in name thereof, to render them hearty thanks.

¹ Extracted from the Records of Secret Council, March 26, 1649.

THE EARL OF ANCRAM TO JOHN, LORD BALMERINOC.

1649
February 22.

MY LORD, Thogh my Sonne, Lothiane, be all my letter, I could not lett him pairt without this freshe memorandum of my carefully kept and bounden respect and hartly kyndnes to your Lordship, and my Lady your wyffe, and Sonne; for I putt yow all in this piece of paper not to multiply words, because I am past now all my court or ceremonious obseruances of tyme past. What I can doe really so long as God keeps me in this world, I will performe it with the same affection to my frends and country, which I hope your Lordship never doubted. This Sonne of myne, whom God hath been pleased to be so ayrlly and assidowusly employed in this publique busines, is cum'd to be also an eyewitnes of a sadder spectacle then ever we thought would grow out of it. The King of Kyngs enable him, and all of yow who are behynde, to do that which is most for God's glory and the good of the Church and his people in it everywhere; and at this lock am I creeping down the hill, or rather vpp the hill from this world to a better.—Your Lordship's most humble seruand,

ANCRAM.

WESTMINSTER, 22 February 1649.

For my Lord Balmerino in Scotland.

THE EARL OF LOTHIAN TO THE EARL OF ANCRAM.

1649^s
March 3.

MY LORD, I receaved your Lordship's letter the other day, and till nowe I could returne nothing. We have beane since our restraint¹

¹ "At this tyme (February 1649) the Earle of Lothian, Sir Jo. Chisley, William Glendining, and Mr. Robert Blare, minister of St. Andrewes, Commissioners for the Kingdom of Scotland, hauing receaued orders to goe for Holland to the King, and being at Grauefend to imbarcke, they wer arrested by a troupe of Cromwell's horffe, by warrant from that blasphemous army, and wicked Parliament." (*Balfour's Annals*, vol. iii. p. 288.)

in expectation what would be further donne with vs, and this night Captain Dolphin brought vs a letter from Lieutenant General Cromwell, by the order of the Counsell of State, signifyng that we were to be sent to Scotland with a garde, and that they had given money to provide vs coaches and horffe and diett by the way. We have written backe againe that we desire we may goe by sea, and with what garde they will, and if that be not allowed vs, that we shall provide these accommodations att our oune charge. I wish indeade they would suffer vs to goe by sea, because we shall not gett such land provisions as we would.¹ But what they grant or refuse, we must acquiesse to it. We have desired Mr. Campbell to come to London with the gentleman [who] hath our letter, that he may, if our sea woyage be refused vs, give order to Jhon Rutherfoord to hyre coaches for vs. I can say noe more to your Lordship, but that I am, my Lord, your most lovinge and most obedient Sonne,

GRAWESEND, the 3 March 1648⁸.

LOTHIAN.

For the right honorable the Earle of Ancram.

¹ This request does not appear to have been granted, as "the then Parliament of England, fearing lest they should again attempt to go straight to the King, did send them down as prisoners, a guard attending them until they came to Berwick." (*Life of Robert Blair, Wodrow Soc.*, p. 218.)

END OF VOL. I.





378
.A5
1875
v.1



DATE DUE		

STANFORD UNIVERSITY LIBRARIES
STANFORD, CALIFORNIA
94305

